



REPUBLIC OF CUBA
Permanent Mission to the United Nations Office at Geneva and
other International Organizations in Switzerland

STATEMENT BY THE REPRESENTATIVE OF CUBA, AMBASSADOR RODOLFO BENITEZ VERNON, HEAD OF THE DEPARTMENT OF POLITICAL AFFAIRS OF THE DIVISION OF MULTILATERAL AFFAIRS AND INTERNATIONAL LAW OF THE MINISTRY OF FOREIGN AFFAIRS. Sixth Meeting of States Parties to the Convention on Cluster Munitions. Geneva, September 5, 2016.

Mr. President:

Cuba advocates general and complete disarmament; a world free of weapons, including, first of all, nuclear weapons. The grounds that there are not enough resources on the planet to fight poverty and promote development is unacceptable when every year there is an increase of military expenditures and the arms industry.

War and violence cannot continue to be unjustifiably used as an instrument of foreign policy. Methods and means of warfare must have limits. The concept of "collateral damage" intended to be imposed on us as inevitable, offends human nature. The death of innocent people in any circumstance and places should be rejected.

Cuba strongly supports the prohibition and total elimination of cluster munitions and condemns their use. The harmful and indiscriminate effects of these weapons are not compatible with the principles and rules of the International Humanitarian Law. They cause unacceptable harm to civilians long after the cessation of combat actions.

Mr. President:

On the occasion of the First Review Conference held last year in Dubrovnik, our delegation announced that Cuba was conducting the constitutional procedures required for accession to the Convention on Cluster Munitions.

Today we can say at this Sixth Meeting of States Parties, that our country fulfilled its commitment. On April 6, Cuba formally deposited at the headquarters of the United Nations in New York, the instrument of accession to the Convention on Cluster Munitions. On October 1, exactly 27 days from today, this international instrument will enter into force for Cuba.

Our country is firmly committed to multilateralism and the International Humanitarian Law. The Cuban authorities are getting prepared in a serious and rigorous manner to ensure the strict compliance by Cuba of all provisions of the Convention.

Mr. President:

Cuba's decision to become a Party to the Convention on Cluster Munitions in no way changes our objections to the way it was negotiated.

We will continue to defend the principle that international instruments on disarmament, of which implications for all States are derived, should be discussed and adopted in a transparent and inclusive manner, within the framework of the United Nations and not outside of it. That is the best way to contribute to further make those instruments universal and effectively implemented.

On the other hand, Cuba intends to promote candid discussions among the States Parties to the Convention in the interest of finding practical and effective solutions to ambiguities, limitations and inconsistencies that, in the opinion of our country, characterize several provisions of the Convention, which can lead to various interpretations that affect their uniform and effective implementation.

For example, the definition of cluster munitions that is used in the Convention does not include certain sophisticated types of those weapons.

It is Cuba's view that all cluster munitions should be totally banned. There should be no exceptions for some of them by the number of explosive submunitions they contain, or because they are equipped with self-destruction and self-deactivation mechanisms.

No technical device can be 100% reliable. No technological improvement alone can solve the humanitarian problems that these weapons pose.

The definition of "transfer" contained in the Convention does not explicitly prohibit transit of cluster munitions through States Parties. In Cuba's opinion, the purpose of a total ban would be seriously compromised if the prevailing interpretation is that the transit or storage of foreign cluster munitions in States Parties is permissible.

Moreover, we do not share the interpretation of some who, taking advantage of the ambiguity of Article 21 of the Convention, argue that in joint military operations with non-States Parties, the prohibition of assistance provided for in Article 1 may be nullified under the provisions of Article 21.

When participating in joint military operations with non-States Parties, States Parties should in any way assist, encourage or induce activities prohibited by the Convention, including employment, transfer or storage of cluster munitions.

Cuba's position is clear. Any use of cluster munitions by any actor is unacceptable and must be condemned. We hope that this position is clearly reflected in the final documents of this meeting.

Thank you.