

NORWAY

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First Review Conference for the Convention on Cluster Munitions 7-11 September 2015

General Debate

**Statement
by
Ambassador Steffen Kongstad
Head of Delegation**

Mr. President,

Let me start by congratulating you and the Government of Croatia with the Presidency of this First Review Conference of the Convention on Cluster Munitions. This is a most pertinent decisions as Croatia has itself suffered the effects of cluster munitions, and has been an active participant throughout the process to ban cluster munitions.

I would also take this opportunity to thank Costa Rica for the excellent execution of their Presidency which was marked by dedication, commitment, political astuteness and not least hard work. As one of the coordinator for universalisation we have greatly benefitted from Costa Rica's leadership and support.

On this occasion, it seems appropriate, and perhaps necessary, to recall how and why the Convention came into being. When the Convention on Cluster Munitions was adopted in 2008, it was the most important development in humanitarian disarmament since the anti-personnel mine ban a decade earlier. It demonstrated that a significant number of States were committed to strengthening the protection of civilians by imposing new limitations on their own means of warfare. This involved banning a category of weapons that, at the time, many claimed was indispensable.

Although the humanitarian consequences caused by cluster munitions had been well known for decades, previous attempts to raise this concern and address it through new international law had repeatedly failed. We achieved a ban on cluster munitions in 2008, after little more than a year of negotiations, due to a consistent focus on the unacceptable harm caused by the use of these weapons. New evidence further demonstrated that an unqualified prohibition was the only credible solution to prevent such harm. All weapons defined as cluster munitions under the Convention were therefore prohibited because of their indiscriminate

area effects and the risks posed by unexploded submunitions. The humanitarian reasons were obvious, but increasingly also the social, economic and not the least the political impact was recognised. The consequences of using cluster munitions are clearly so devastating that it is inconsistent with any civilised behaviour.

The convention was the result of a close and productive partnership between states, most importantly including affected states, relevant international and humanitarian organisations, civil society and not the least the crucial contributions by the victims and survivors.

Five years after the Convention's entry into force, this Review Conference provides the first major milestone to assess what the Convention has actually achieved, and to identify the measures we need to take to strengthen both universalisation and implementation between now and 2020. The coming period is important as we approach the first deadlines for stockpile destruction in 2018 and for clearance of contaminated areas in 2020.

The **Croatia** Progress Report shows that implementation of the Convention and the Vientiane Action Plan is generally on track, and universalisation efforts are yielding positive results. To highlight a few key achievements after these first five years:

- The norm against the use of cluster munitions has been widely respected, including by States not party to the Convention. The Convention clearly obliges all States Parties to promote its provisions and to make their best efforts to discourage States not party to the Convention from using cluster munitions. In cases where cluster munitions use has been reported, as in Syria, Yemen and Ukraine, it has been swiftly and widely condemned, and strengthened the norm of non-use. Even those presumed or documented to be responsible, have often denied responsibility, clearly demonstrating that also States and other actors not party to the Convention no longer want to be associated with these weapons. The Convention has largely succeeded in its ambition to establish a global norm and proven its preventive role.
- In the area of stockpile destruction, progress has exceeded expectations. Eighty per cent of reported cluster munition stockpiles have already been destroyed, most States Parties achieving their targets much faster and at a significantly lower cost than some experts kept insisting on some years ago.
- In countries affected by cluster munitions, the Convention has mobilized resources for, and accelerated progress in, survey and clearance. The Convention has spurred methodological innovation and contributed to enhanced cooperation among mine action operators. As a result, we have acquired a far better and more realistic understanding of the extent of the cluster munition problem, and a realisation that it can be solved within a much shorter timeframe than was previously assumed.

- The inclusion in the treaty of a comprehensive victim assistance obligation has contributed to an enhanced recognition of the rights of cluster munition victims, focused attention on their situation in affected countries and informed efforts on victim assistance in other contexts. It has also contributed to building knowledge and experience on how to integrate victim assistance efforts with broader efforts to promote the rights of persons with disabilities.

Overall, there is reason to be satisfied with what the Convention has delivered after the first five years of implementation.

However, we also need to look at how to further strengthen implementation and universalisation of the treaty in the coming period. In our view, main priorities and challenges for the coming period should include:

- We need to maintain the positive momentum in our efforts to universalise the treaty. Norway will give priority to affected states, as well as developing states that hold stocks of cluster munitions.
- Recent use of cluster munitions in certain armed conflicts demonstrates that we must continue to make every effort to dissuade potential users from employing cluster munitions and to speak out against such use when it occurs. It might perhaps also be worth noting what kind of actors resorting to the use cluster munitions.
- The pace of stockpile destruction must be kept up to ensure that all States Parties complete destruction within their deadlines and that there is no need for extension requests under Article 3. There is also reason to examine how cluster munitions retained in accordance with Art 3 are used.
- The mobilisation of adequate resources for survey and clearance remains essential. Equally important, resources must be used effectively. We are concerned by the conclusion in the report from Mine Action Monitor that in “too many contaminated states (...) progress is either sluggish or non-existent, due largely to lack of political will, poor survey, and insufficient funding.” Evidence that resources are used effectively will be required to maintain the current level of funding for survey and clearance activities in affected countries. This will also be key to avoiding unnecessary extension requests before the first deadlines.
- If we are to achieve a measurable and sustainable improvement in the lives of cluster munition victims, victim assistance support will need to be further integrated in the broader work to promote the rights of persons with disabilities.
- Promoting the rights of persons with disabilities is a priority for Norway. This includes providing support for victims of cluster munitions and other

weapons, access to education for children and youth with disabilities, and ensuring that the needs and rights of persons with disabilities are better integrated in humanitarian assistance.

- As we mark the 15th anniversary of UN Security Council resolution 1325 this year, we reiterate the importance of continuous efforts to mainstream the gender dimension in all strategies, programmes and projects to address the cluster munition problem. Gender mainstreaming is important not only to ensure equal representation, but also to improve the quality and impact of interventions. We appreciate that this perspective is well integrated in several sections of the Dubrovnik Action Plan, and will continue to work with our partners to ensure this is reflected in the activities we support.
- We must ensure that our work in the coming period is focused on addressing the real challenges and informed by realities on the ground. This means giving priority to implementation of the treaty at the national level, rather than on conference machinery. +++
- The many on-going conflicts and humanitarian crises are making it more difficult to mobilise adequate resources. Norway will continue its cooperation with partners to support implementation efforts. We will give priority to those that are committed to fulfilling their obligations of the Convention and can demonstrate substantial progress.

In conclusion, we do think that the many accomplishments of the Convention deserve to be celebrated during this week here in Dubrovnik.

At the same time, we should not, and will not, be complacent. During the same period that we are reviewing here, our grossly inadequate ability to protect civilians during war has been painfully evident in the images that we have witnessed on an almost daily basis from various conflict-affected areas.

We are reminded that there are other urgent humanitarian concerns that need to be addressed, such as ensuring that schools and health care facilities remain safe during armed conflict, or that civilians are not exposed to the use of weapons with similar indiscriminate and wide-area effects as cluster munitions. In working together to tackle some of these other challenges, we hope that the experience we have gained through this Convention is a valuable resource that we can all draw on.

In times where humanitarian principles and norms are gravely disrespected and challenged, it is of the utmost importance to defend and maintain what has been achieved and not accept any attempts to undermine existing International Humanitarian Law.

We support the Political Declaration presented by the Presidency and are not in a position to agree to changes that weaken the text.

Norway remains strongly committed to the objectives of this Convention and will continue to work actively to promote its universalisation and implementation in the coming years. We are convinced that if we continue the strong partnership that we have forged between committed States, international organisations and civil society, we will be far closer to the goal of a world free of cluster munitions when we meet again to review progress five years from now.