## **CMC Statement on Compliance**

CCM 2RC, 25-27 November 2020



Overall compliance with the Convention on Cluster Munitions has been commendable. There have been no instances or even allegations of any use, production, or transfer of cluster munitions by a State Party. States Parties have destroyed 99% of their combined declared stockpiles.

But there remains a question about whether Guinea-Bissau possesses stocks. If it does, it is in violation of the convention for having missed its destruction deadline and having failed to submit an extension request. If it has stocks, it should develop an urgent destruction plan, and submit an extension request immediately.

It is also regrettable that Bulgaria and Peru were unable to meet their stockpile destruction deadlines, and had to submit extension requests. The CMC and many States Parties have been saying for years that there should be no need for ANY State Party to submit a stockpile destruction extension request. Up to now, most States Parties completed well in advance of their deadlines.

Similarly concerning is the growing list of States that are asking for additional time to clear their contamination. This year BiH, Chile and Lebanon declared they will not meet their initial 10-year deadlines and asked for extensions. As said before, all current States Parties should be able to clear their land within their initial deadlines, with the exception of Lao PDR and perhaps Iraq.

Regarding three other compliance matters:

Some 90% of States Parties have provided initial transparency reports, an admirable number. However, compliance with the annual reporting requirement is not impressive, only 60%. States Parties can do much better.

Only 32 States Parties have enacted specific legislation to enforce implementation of the convention's provisions. Again, States Parties can do much better.

The convention allows States Parties to retain live cluster munitions and submunitions for training and research purposes. Most see no need to do so; only 13 are retaining. Two of those States Parties have not destroyed any since first reporting they would retain (BiH and Cameroon). It is still unclear if the current holdings by these states constitute the "minimum number absolutely necessary" as required by the convention. The 13 States Parties that do retain, should continue reducing the number of cluster munitions retained and commit to not replace them.

The importance of ensuring full respect for the Convention cannot be overstated. The CMC welcomes the introduction of a new section in the Lausanne Action Plan entitled "Measures to

ensure compliance". It is timely, and rightly aims at ensuring full respect for compliance with all provisions under the Convention.

With this new section, it renders necessary to clarify who within the Convention's machinery will be in charge of facilitating implementation of these new actions. Amending the mandate of the Coordinators of General Status and Operation of the Convention, to include this area of work, could be a solution.

In closing, the global stigma against cluster munitions remains strong. Nearly all states not party are in de facto compliance with the prohibitions on use, production, and transfer. The glaring exception is still Syria which continues to use cluster munitions since 2012 (with active support from Russia), as well as recent instances of use by Armenia and Azerbaijan in Nagorno Karabkh. It is crucial that States Parties continue to denounce any use of cluster munitions by any actor under any circumstances, to promote full compliance with the norm established by the Convention.

Thank you.