

# **New Zealand Permanent Mission to the United Nations**



## **Te Māngai o Aotearoa**

2 chemin des Fins, Grand-Saconnex, 1218 Geneva, Switzerland  
TELEPHONE +41 22 929 0350 FACSIMILE +41 22 929 0374

---

### **THIRD MEETING OF STATES PARTIES TO THE CONVENTION ON CLUSTER MUNITIONS**

**OSLO, NORWAY, 11-14 SEPTEMBER 2012**

#### **General Statement**

**H.E. Dell Higgin**  
**Ambassador for Disarmament**

**11 September 2012**

**As delivered**

Mr President,

It is a pleasure to see you in the chair for this meeting and you can be assured of New Zealand's full support as you guide us in our work. We appreciate the warm welcome this morning from Foreign Minister Støre and look forward to productive interactions this week to take forward the Convention's objectives.

It is very fitting that we are meeting here. Almost four years since its signing ceremony here our Convention has 'come home' again to Oslo. This meeting of States parties is a welcome opportunity for a collective assessment of the progress that we have made and to identify areas of the Convention requiring further attention.

New Zealand is in general very satisfied with the progress achieved thus far in meeting the Convention's objectives. The ranks of the CCM States parties continue to swell and the 12 new States parties that have joined us since our meeting in Beirut are very welcome. Stockpile destruction and cluster munition clearance have continued apace and more and more States parties are establishing the necessary systems to support victims to reintegrate fully into their communities.

As Co-ordinator for National Implementation Measures, New Zealand has continued to advocate for States parties to put in place the necessary legislation and other administrative measures to give full effect to the Convention. We are pleased with the progress that has been made but clearly more work needs to be done - as is indeed the case on other aspects of the Convention.

Mr President,

Your Foreign Minister invited us this morning to take up the issue of the contribution the CCM has been able to make to the protection of civilians and to the strengthening of International Humanitarian Law. May I first thank Norway for its background paper on this question and which has indeed provided us with useful food for thought.

Could I respond to Minister Støre's invitation with 2 comments of a general nature. First on the issue of process. There are those that say that normative law can only be developed via standard multilateral processes – such as in the Conference on Disarmament or the United Nations. But, Mr President, the Anti-Personnel Mine Ban Convention – and indeed our own Cluster Munitions Convention - are two very clear demonstrations of the fact that this is not the case.

Secondly, the deliberate development of specific standards or new norms is not the only way in which our legal obligations can evolve. International law – and international humanitarian law – does not stand still. So, in the context of IHL for instance, attitudes toward a weapon, or a particular class of weapons, and to their compliance with this body

of humanitarian law can shift or become clearer over time as awareness of the weapons' nature and effects increases.

Our increased understanding of the humanitarian consequences of a weapon may mean that a weapon which might have been regarded as legitimate or militarily useful some years or decades ago can come subsequently to be viewed as incompatible with the contemporary interpretation of IHL.

While the CCM is not yet universal, the use of cluster munitions is now seriously constrained and those countries that have dared to use them since the Treaty's adoption have met with widespread opprobrium. The Convention has indeed contributed greatly to the global stigmatisation of cluster munitions and, accordingly, New Zealand believes that the Convention is having the preventative and normative impact sought by the architects of the Oslo process.

Mr President,

I would like to acknowledge the significant civil society presence here with us in Oslo. The close engagement between government and civil society is a hallmark of the "Oslo process" and we continue to value the contributions made by civil society to our work. This partnership has served us well in the CCM context and there are lessons here, we would suggest, for other disarmament and arms control processes.

In closing, I would like to pay tribute to our outgoing President, Lebanon, for their sterling efforts over the past year in taking the Convention's aims forward. Last year's Second Meeting of States parties in Beirut – as was indeed the case with our inaugural meeting in Vientiane the year earlier – highlighted the terrible economic and social consequences of the use of cluster munitions and underscored the humanitarian ethos that continues to drive us as we seek to end the suffering they cause.

The presence here in Oslo of many cluster munitions victims is a further reminder of the importance of our work. New Zealand remains steadfast in its commitment to work to ensure that the experience of these victims is not repeated in the years ahead. Cluster munitions have no place in today's world, and in our contemporary, humanitarian, understanding of IHL. We look forward to working with all partners towards achieving their complete elimination in all contexts and in all countries.