

THIRD MEETING OF STATES PARTIES, 11-14 SEPTEMBER 2012

NATIONAL IMPLEMENTATION

INTRODUCTORY REMARKS BY THE CO-ORDINATOR

13 SEPTEMBER 2012

Mr President

Thank you for this opportunity to report briefly on progress made in regard to national implementation since the Second Meeting of States parties in Beirut last year.

Article 9 of the Convention sets the requirement for States to underpin their ratification of the Convention with the ability to enforce it in their domestic legal system. There is no predetermined way in which this should be done: what matters is that States parties are able to comply with all the Convention's requirements.

Since our meeting in Beirut progress has been made on national implementation. Over 30 States parties have legislation in place to give effect to the Convention's provisions. While the majority of these States have developed specific legislation for this purpose, others have reported that existing legislation is sufficient to meet their obligations.

While we are pleased at this progress, there is clearly more work to be done in order to ensure that all States parties are confident that they have met Article 9 of the Convention to give comprehensive effect to all the Convention's obligations.

In this regard, we are very encouraged that a significant number of States parties have reported that they are in the process of developing national legislation. We welcome the updates that have already been made in the course of this meeting and we encourage other States to use this opportunity to report on the efforts they are making on Article 9.

In addition, we urge States parties to make good use of the Article 7 reporting mechanism to provide updates on their efforts.

Mr President,

These – rather low – statistics do show that developing and adopting whatever legislation may be required for the effective implementation of the Convention does remain a challenge for a number of CCM States parties. It is clear that resource constraints and competing priorities are a key factor in preventing further progress. We also recognise that in many States this process can be quite a lengthy one.

New Zealand, as Co-ordinator on this issue, stands ready to assist States meet their Article 9 obligations. We have developed model legislation for States whose circumstances match our own (and indeed most of our small neighbours in the Pacific) in that we have never produced or possessed cluster munitions and nor have we been contaminated by them. This legislation was welcomed and adopted at the Second Meeting of States parties in Lebanon and may be of some

assistance to countries who match our circumstances. Copies have been circulated in the room and can be obtained direct from the New Zealand delegation.

We also recognise the excellent support available to States from the ICRC and note in particular their ratification toolkit which includes a more expansive model legislation, including for countries who have produced or been contaminated by cluster munitions.

We believe that the value of these models is two-fold. They facilitate the development of the necessary legislation, and in doing so, they hold the potential to quicken the pace not only of the fulfilment of Article 9 but also of the universalisation of the Convention.

Mr President,

New Zealand was pleased with the constructive discussion we had on implementation issues at the Intersessional Meeting in Geneva in April this year and we welcome the continuation of that dialogue here.

We have been particularly pleased to have had the opportunity to engage here with the Minister of Foreign Affairs of Zambia, and his team of officials as well as civil society partners. We have been exploring with Zambia how their hosting of the next Meeting of States parties can give a real boost to national implementation there and we look forward to working closely with Zambia in the lead up to the Lusaka meeting.

I would like to conclude these introductory remarks by underscoring New Zealand's commitment to assisting all States parties, and prospective States parties, meet their national implementation obligations under Article 9 of our Convention. The New Zealand delegation is available to meet with any interested colleagues and will offer whatever assistance we can.