

General Exchange of Views

The Netherlands

Excellencies, Ladies and gentlemen!

Congratulate president of MSP; great hospitality of our Zambian hosts.

Align with EU statement.

We have come a long way, since 17th century Dutch writer and lawyer Hugo Grotius, Hugo de Groot in Dutch. In 1625 he wrote *De iure belli ac pacis* (On the laws of war and peace), a first attempt in modern times to lay down rules for warfare. He can be seen as the grandfather of international humanitarian law.

At present we have many legal sources regulating the conduct of States when they revert to the use of force. Use of violence between States is regulated by customary law, UN Charter, UNSC and UNGA resolutions, other legally binding documents and treaties, like the one whose progress we have come to discuss here in Lusaka.

The strength of our common rules as laid down in this treaty depend on their implementation and their universalization. With interest I will listen to the state of play of other State Parties implementing their obligations.

As to the Netherlands, we have finished the stockpile destruction, as was mentioned during the 3rd MSP. The retained cluster munitions are for strict educational purposes, serving the training of our demining units in the armed forces. With a budget of 15 million Euro a year for mine action activities, the Netherlands has consistently been one of the large donors in the field of demining. Through several NGOs and UNMAS we contribute to the clearing of cluster munitions and other explosive remnants of war from zones in countries that have been affected by the use of cluster munitions and other explosive remnants of war.

Transparency is key to oversight on the implementation of treaties. During the ATT conference the Netherlands has negotiated with conviction for as strong a paragraph as possible on reporting. Therefore, we are ourselves keen on handing in our reports on time in any international mechanism. We did so on April 30th of this year with our report on 2012, unfortunately this has not been

reflected in the draft Annex to the draft Lusaka Progress Report. I kindly request the president to see to it that our annual report be included in the list of countries that complied with their obligations under article 7.

Only if those 85 states that have not done so yet will join this convention we can truly banish cluster munitions entirely. A big responsibility weighs on us, states parties, to continue to reach out and convince those more skeptical that indeed rules of law are progressively changing and improving. We must point to the responsibility of those 85 countries, and continue insisting on their adherence to this convention. The arguments are on our side: the deliberate killing, suffering and maiming of civilians through indiscriminate munitions can under no circumstances be defended. Let our plea to accede to this convention carry across the African plains, across the Indian Ocean and resound in Asia, let our plea cross the Atlantic and be heard in the Americas. And let our message be heard along the Mediterranean, both in the Middle East and in Europe.

Mr President,

The Netherlands looks forward to working with all delegations during these coming days, and in the coming year as coordinator of the working group on the general status of the convention. We hope to contribute in that capacity to a consensual agreement in the issue of funding of the ISU. While taking a time out from the discussion might be a wise decision for this very moment, the Netherlands will engage actively with the countries most concerned in finding a solution to the funding issue on a more structural level. A strong and effective permanent ISU will benefit the implementation of the convention, and help us all in achieving universalisation.

Thank you.