



ICRC

**Fifth Meeting of States Parties
to the
Convention on Cluster Munitions**

San Jose, Costa Rica, 2 September 2014

Statement by Mr Juan Pedro Schaerer, Head of Regional Delegation for Mexico,
Central America and Cuba

International Committee of the Red Cross

Excellency, Ladies and Gentlemen,

The Convention on Cluster Munitions is an important instrument of international humanitarian law and it is fitting that this meeting takes place in Costa Rica, which has been an ardent supporter of the efforts to protect civilians from the effects of armed conflict. The ICRC looks forward to working with Costa Rica in the coming year as President of the Meeting of States Parties to promote this treaty and its full implementation.

The Convention on Cluster Munitions has established itself as the principal instrument to protect civilians from the harm caused by cluster munitions. Through its prohibitions and time bound commitments the Convention is advancing the objective of a world free of cluster munitions and helping to bring relief to those who have been affected by these weapons.

The Convention is having a real and tangible impact and progress is being made in a number of important areas. As indicated in the San Jose Progress Report, more than half of the States Parties possessing these weapons have now fulfilled their stockpile destruction obligations, destroying more than a hundred million explosive submunitions. This is a significant accomplishment as it was often said during the development of the Convention that the destruction of cluster munition stockpiles would be one of the Convention's greatest challenges. Nevertheless, States Parties, including some with very significant stockpiles, have met their obligations well in advance of the Convention's deadline.

Progress is also being made in meeting the Convention's requirements to clear cluster munition remnants. Five of the 12 States Parties contaminated by cluster munitions have now met their clearance obligations and there are ongoing efforts to improve the release of land suspected to be contaminated with cluster munition remnants so as to more quickly and efficiently return this land to the communities.

The Convention has also helped stigmatize the continued use of cluster munitions. In instances of alleged use of these weapons since 2008, a number of States Parties, signatories and civil society organizations have expressed their serious concern and the media has highlighted the subsequent humanitarian impact. This has most recently occurred with regard to the alleged use of these weapons in South Sudan, Syria and the Ukraine.

The ICRC welcomes these achievements. However, there remain a number of significant challenges to achieving the Convention's goals.

In the area of victim assistance, experience has shown that the key to success remains national ownership and the involvement of survivors in setting victim assistance priorities. The long-term support from international agencies and donors is also essential. While there has been progress in a number of States in these areas, the situation of far too many victims - by which we mean survivors, affected families and communities - remains unsatisfactory. For many cluster munition victims, as well as those affected by mines and explosive remnants of war more generally, there remain deficiencies in the availability and sustainability of necessary services, as well as in ensuring access to existing services. Improving their situation and meeting the Convention's goals in this area will require greater planning and action.

With regard to universalization, the Convention witnessed a steady increase in the number of States Parties between 2008 and 2012. However, this pace has slowed in recent years with only one State joining the Convention since the 2013 Meeting of States Parties. There remain a number of signatory States that have not yet ratified the Convention. With their signature these States have already expressed a commitment to the Convention's humanitarian goals. The ICRC takes this opportunity to urge these States to adhere to the treaty as quickly as possible.

In addition to joining the Convention, it is equally important for all States Parties to ensure its full implementation at the national level. The elimination of cluster munitions and relief to survivors and affected communities depend on action being taken domestically. States Parties are making progress in adopting the legislative and administrative measures required at the national level to ensure its full implementation. Yet that progress, in our view, remains slow. We urge those States that have not already done so to develop and adopt such measures as a matter of urgency. In our view, the adoption of national legislation to prevent and suppress violations of the Convention, and the incorporation of the Convention's norms into military doctrine and training, are particularly important.

The coming days will provide an opportunity to discuss these and other challenges in more detail and how they may be addressed. Such discussions will also play a valuable role in helping to prepare the First Review Conference of the Convention which will take place next year and the review of the Vientiane Action Plan.

Mr President, the States Parties, signatories and organizations that support the Convention can be proud of what has been achieved since the Convention entered into force. These achievements are the result of the partnership between States, international organizations and civil society groups. It is this partnership that will help address the challenges facing the Convention today and for advancing the treaty's goals in the coming years. The ICRC also welcomes the progress made on establishing an implementation support unit and looks forward to the assistance that it can bring to the work in these areas. Through our collective efforts we are confident that further progress can be made in achieving a world free of cluster munitions.

Thank you.