



**Convention on Cluster Munitions 5MSP, San José Costa Rica**  
**General Statement**  
**Delivered by Ambassador Dell Higgin**  
**2 September 2014**

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New Zealand congratulates Costa Rica as it now assumes its position of leadership of the Convention on Cluster Munitions. We look forward to the forthcoming year of your Presidency and we know that we can expect from Costa Rica the vision and leadership that has placed you in the forefront of so many global peace and disarmament initiatives.

We record at this point, too, our thanks to the Government of Zambia – and most notably to my excellent colleague, Ambassador Sinjela, and her team in Geneva, for all she and they have done in guiding the Convention and leading its Coordinating Committee since we met this time last year in Lusaka.

At this point, Mr President, I should like to congratulate the Governments of Belize and the Republic of Congo for their very welcome announcements given today. We are delighted to welcome Belize and Congo to the CCM family.

Mr President, these annual Meetings of States Parties are not just an opportunity to celebrate our collective membership of a Treaty which represents one of the most important developments in international humanitarian law (IHL) in recent times. They are also the appropriate occasion for serious and self-critical consideration of how we can best carry forward this Convention's objectives and its determination to advance human security. In addition, then, to celebrating progress since the adoption of the CCM and the outlawing of cluster munitions in 2008, it is timely also to consider what we need to do better.

In his letter of invitation to us all, Minister Gonzales Sanz has invited our thoughts, in particular, about how we can further contribute to CCM universalisation efforts. It is indeed important that we not allow the excellent pace, to date, toward universal membership of the Convention to slow in any significant way. Regional meetings - and workshops such as the excellent one for Spanish-speaking countries which was held here yesterday – obviously have a very important part to play in this. For our part, New Zealand, in coming months, will be evaluating carefully which regional meetings could be used in our Pacific region to advocate for membership of the CCM. We may well do this in concert with efforts to promote and advance that other recent significant contribution to IHL - the Arms Trade Treaty – which New Zealand is proud to have ratified just today.

In addition to States Parties' advocacy efforts, it will be useful to consider, as well, what exactly are the impediments or constraints which particular countries may face in moving forward on CCM ratification. As the Convention's Coordinator for National Implementation Measures, New Zealand has sought to take a realistic approach to what States Parties need to do in order to implement the Convention nationally and also to offer any assistance we can that might be helpful. Our offer of

assistance has focused in particular on any help which might be useful with regard to adoption or adaptation of the model CCM legislation which we have drafted to meet the needs of states, such as New Zealand, which have not produced or used cluster munitions nor been contaminated by them. In this regard we welcome the workshop held yesterday, with financial assistance from Norway and New Zealand, to draft model legislation specifically for both common and civil law countries in Africa.

Minister Gonzalez Sanz also invited us all to address at this, our 5<sup>th</sup> MSP, the issue of how we can contribute to the effective stigmatisation of cluster munitions. In general, New Zealand believes that very good progress has been made to date on stigmatisation. Notwithstanding the fact that, as noted, the Convention is still some way from universalisation, the use of cluster munitions is now seriously constrained and those countries or entities that have dared to use them since the Treaty's adoption have met with widespread opprobrium.

New Zealand joins others in unreservedly condemning any and all instances of the use of cluster munitions. Most regrettably, there has been evidence of the use of cluster munitions in South Sudan and, more recently, allegations of use in eastern Ukraine. Condemnation of the use of cluster munitions in Syria has been particularly noteworthy given the considerable number even of non-State Parties who have done so. Accordingly, it seems very clear to my Delegation that the Convention has already had a considerable impact on the global stigmatisation of this inhumane weapon system.

New Zealand looks forward to the effective role which the Convention's Implementation Support Unit can be expected to play in coming years - including in advancing further efforts to stigmatise cluster munitions and to assist with the Convention's universalisation. I note, however, that there is one ongoing point of contention that may well stand in the way of the ISU's ability to perform to our hopes and expectations for it. And that is the absence, at present, of a durable model for financing its activities.

If we all believe in our Convention and the justice of its call – and I'm sure we do – we should not set up our ISU for failure: we must reach agreement swiftly on a financing model which does not rely on *voluntary* funding. Our ISU should not be distracted from its core tasks by needing to go about with a 'cap in hand'.

Next year will, of course, be an important year in the lifespan of the CCM – the completion of its first cycle and the convening of our first Review Conference. New Zealand greatly appreciates Croatia's generous offer to host the Review Conference and we very much look forward to contributing to the discussion there.

The Review Conference will be an important moment for reflection and an opportunity for taking stock of where we are and where we want to go. I believe it could prove useful if – continuing Costa Rica's focus on the most important issues confronting us - time could perhaps be set aside in our Review Conference agenda for an informal, interactive discussion regarding universalisation and stigmatisation - possibly even in small groups.

Stigmatisation is something which can often be characterised, with a more positive optic, as norm-setting. There may indeed be additional efforts, and new approaches, which we as States Parties can usefully initiate in the period ahead. But I would like to conclude by emphasising that New Zealand has no doubt that this Convention is already having the preventative and normative impact sought for it by the architects of the Oslo process.

We look forward over the coming days to discussion on the full range of activities carried out under the CCM and again thank Costa Rica for the warm welcome to San José.