



MINISTÉRIO DOS NEGÓCIOS ESTRANGEIROS  
DIREÇÃO-GERAL DE POLÍTICA EXTERNA

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**Statement by**  
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**Ministry of Foreign Affairs**

**Head of Delegation of Portugal to the**  
**Fifth Meeting of States Parties to the Convention on Cluster**  
**Munitions**  
**San Jose, 2 September 2014**

Mr. President,

At the outset, allow me to congratulate H.E. Minister Manuel Gonzalez Sanz for his appointment as President of the Fifth Meeting of the States Parties to the Convention on Cluster Munitions (CCM). I am sure that under his able leadership, we will once again be promoting the goals of the Convention with decisions that can gather an enduring consensus towards the future.

I would also like to address an ample word of appreciation to the Government of Costa Rica for hosting this Meeting and to extend the wishes of good cooperation to all participants in the Meeting.

Portugal fully shares the views expressed in the statement made on behalf of the European Union.

Mr. President,

Portugal has fulfilled and continues to fulfil all its obligations regarding the implementation of the Convention, namely concerning article 3 and article 7.

Portugal has continued in 2013 its efforts on the subject of universalisation of the Convention by bilaterally appealing to non-States Parties to accede and/or ratify the CCM and by facilitating cooperation with non-State actors for this purpose.

Although recognizing the enduring efforts made by the universalisation coordinators, we regret to acknowledge that since the last Meeting of States Parties only 2 new states accede to the Convention and only one ratified it. We



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must strive to bring all States to the Convention. We congratulate Belize and St. Kitts and Nevis for their accession and the Republic of Congo for its ratification.

It is also regrettable that the main producers still remain outside the CCM. Portugal believes that it is essential to continue to draw the attention of the major producers and users of cluster munitions for the indiscriminately lethal character of those weapons and thus to persuade them of the unlawful Humanitarian consequences of the use of such weapons.

Efforts regarding the universalisation of the Convention could tackle both ratification of the CCM and, if that is not possible, at least the promotion of a *de facto* situation that can eventually lead to the adherence to the CCM, such as a moratorium on the use, production and transfer of cluster munitions.

We have previously noticed that the stringent rules of the CCM have been referred to as a reason for a more cautious approach to ratification or accession by some Countries, despite their support for the goals of the Convention and what it stands for.

While Portugal strongly feels that the strength of the provisions is a commendable feature of the CCM, States Parties should, at the same time, be aware of the perception by States that are yet to become Parties of the consequences of the Convention provisions, as well as of the decisions taken by the States Parties. These perceptions naturally include concerns over possible future financial burdens associated with the CCM.

Mr. President,

Along with Spain, Chile, Croatia and Mexico, Portugal submitted a non-paper at the Intersessional Meeting last April on the subject of "The Convention on Cluster Munitions up to the 1<sup>st</sup> Review Conference: achievements, challenges and possible lines of action". One of the aims of this document was to highlight the possible synergies with other Conventions that deal with the same kind of weaponry, as well as with other Humanitarian Law Conventions.

The Humanitarian aspects of the CCM must be underlined as much as its disarmament characteristics. Not only the use of cluster munitions is a violation of Humanitarian Law, but its consequences generate long lasting disabilities that must be addressed fully by the States.

The effects of cluster munitions in the daily life of the populations remain a serious obstacle to the development in some regions that is why clearance of contaminated areas must remain high in our agenda.



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By raising awareness of the consequences of the use of cluster munitions among civil society, it may be possible to add up the pressure on State authorities to avoid its usage.

We are convinced that the full use of national legislation for the implementation of the Convention may bring more rewarding results, in particular as far as people with disabilities are concerned and we appeal to those States that still have to adopt such legislation to do so without delay. Portugal is ready to cooperate by sharing its legal framework with interested States.

In addition, we are of the view that the full implementation of the CCM can be better accomplished by means of regional and multilateral cooperation. Not only this cooperation multiplies the means to tackle the different kinds of problems arising from cluster munitions, but it may also contribute to bring States, in particular in neighbouring States, closer to solve common problems.

Mr. President,

Portugal is appalled by reports of the use of cluster munitions since we last met in Lusaka. The reported use by the Syrian authorities in the ongoing conflict, and the use of cluster munitions in Ukraine and South Sudan will only prolong the humanitarian consequences of these devastating conflicts in the years to come, with very little, if any, military benefits. This must be of special concern to us all. Portugal is equally appalled by the recent news that non-State actors have also used cluster munitions and we fully condemn this practice.

We call on all non-State Parties to refrain from deepening the unnecessary suffering of the civilian population and not to use such weapons. Once again, we strongly condemn the use of this hideous cluster munitions.

Finally, Mr. President,

Portugal takes this opportunity to reaffirm its commitment to the Disarmament efforts, in general, and to the CCM in particular. We remain convinced that if we keep working tenaciously together, peace and progress for the whole mankind may be reached faster.

I thank you Mr. President.