



Misión Permanente de la República de Cuba ante la Oficina de las Naciones Unidas en Ginebra y otros Organismos internacionales con sede en Suiza.

**Statement by the Cuban delegation. Ninth Meeting of the States Parties to the Convention on Cluster Munitions. Geneva, 2 September 2019.**

Mr. President:

Following Cuba's accession to the Convention on Cluster Munitions on 6 April 2016, the country prepared itself in a serious and rigorous manner to ensure strict compliance with all provisions of the Convention.

By becoming a State Party to this instrument, we ratify Cuba's commitment to multilateralism and international humanitarian law. In addition, this commitment is cemented in our long-standing position in favor of general and complete disarmament in defense of a world free of weapons, in which the elimination of nuclear weapons should be a priority.

The death of innocent people, in any circumstance and place, must be rejected. The philosophy of war and violence must be banished from foreign policy agendas.

It is totally unacceptable that the figure of global military spending amounts to 1.8 trillion, and that the warmongering agendas of some countries provide for million-dollar increases for such spending. That is an unacceptable reality in the face of the alleged lack of resources to deal with many global problems, including climate change, alleviation of the precarious situation of thousands of migrants or the elimination of underdevelopment.

We reaffirm that Cuba strongly supports the prohibition and total complete elimination of cluster munitions and condemns their use. The harmful and indiscriminate effects of these weapons are not compatible with the principles and rules of international humanitarian law. They cause unacceptable damage to the civilian population, even long after the end of combat actions.

Mr. President:

In the National Compliance Report submitted in April 2018 and reiterated in the 2019 report, our country informed the completion of the destruction of all stockpiles of cluster munitions and has determined that such stockpiles no longer exist under its jurisdiction or control.

National efforts to comply rigorously with the provisions arising from the Convention on Cluster Munitions, including the rapid destruction of declared stocks, are

consistent with Cuba's firm and consistent position in favor of general and complete disarmament.

Mr. President:

Cuba's decision to become a State Party to the Convention on Cluster Munitions in no way modifies our objections to the way in which it was negotiated.

We will continue to uphold the principle that international instruments on disarmament, from which implications arise for all States, must be discussed and adopted in a transparent and inclusive manner within the framework of the United Nations and not outside it. That is the best way to contribute to the subsequent universalization and effective implementation of those instruments.

Furthermore, my delegation reiterates the purpose of promoting frank discussions among the States Parties to the Convention, in the interest of finding practical and effective solutions to the ambiguities, limitations and inconsistencies that, in our country's opinion, characterize some provisions of the Convention, which may lead to different interpretations affecting its uniform and effective application.

For example, the definition of cluster ammunition used in the Convention excludes certain sophisticated types of such weapons.

It is my delegation's opinion that absolutely all cluster munitions should be banned. There should be no exceptions for some of them on the basis of the number of explosive submunitions they contain, or because they are equipped with self-destruction and self-deactivating features.

No technical device can be 100% reliable. No technological improvement alone can solve the humanitarian problems posed by these weapons.

The definition of "transfer" contained in the Convention does not explicitly establish a prohibition for the transit of cluster munitions through States Parties. In my delegation's view, the purpose of the total ban would be seriously compromised if the interpretation that the transit or storage of cluster munitions in States Parties is permissible, regardless of the transfer of ownership.

Nor do we share the interpretation of some who, taking advantage of the ambiguity of Article 21 of the Convention, argue that in joint military operations with States not party to the Convention, the ban on assistance provided for in Article 1 may be overridden by the provisions of Article 21.

When participating in joint military operations with States not party to the Convention, States Parties should in no way assist, encourage or induce activities prohibited by the Convention, including the use, transfer or storage of cluster munitions.

On the other hand, we do not favor the synergy between the Convention on Cluster Munitions and the Anti-Personnel Mine Convention, given that they are instruments of different nature, scope and membership. We do favor the promotion of synergies with Conventions negotiated within the framework of the United Nations and of broader scope, as is the case of the Convention on Certain Conventional Weapons (CCW).

Mr. President:

Before concluding, we wish to reiterate our willingness to examine and adopt by consensus, financial measures that ensure the sustainability of the work and the implementation of the Convention, so as to guarantee the sovereign right of the States Parties to participate in their work in absolute equal terms.

International cooperation and assistance are essential to achieve the purposes of this Convention, and contribute to victim assistance, so they must be provided without conditions.

Cuba's position is clear. Any use of cluster munitions, by any one, is unacceptable and must be condemned. We wish this position to be clearly reflected in the final documents of this meeting.

Thank you.