

Convention on Cluster Munitions
Second Preparatory Meeting for the Second Review Conference
Geneva, 4 September 2020
Statement of the International Committee of the Red Cross (ICRC)
under Item 5 (c) of the provisional agenda
Exchange of views on the preparation of documents
for the Second Review Conference - Lausanne Political Declaration

Thank you, Mr. President.

The ICRC welcomes the **Working Paper submitted by the Presidency on Elements for a Political Declaration**, which serves as a very good basis for the final text.

Our specific comments on the Working Paper are as follows:

With regard to paragraphs 1 and 7, the ICRC and the broader International Red Cross and Red Crescent Movement are honoured to have been engaged in a special partnership with States Parties, the United Nations, the CMC and other civil society organizations, which drove the process leading to the adoption of this Convention over 10 years ago, and which has continued to successfully drive efforts to promote its universal and faithful implementation.

To this end we would suggest having this partnership explicitly recognised and reiterated in the Political Declaration, as was the case in paragraph 1 of the Dubrovnik Declaration 2015. This would also be in line with the Preamble of the Convention, which recognizes the special role of the UN, the ICRC and the CMC, among others.

Regarding paragraph 9 on promoting the universal observance of the Convention's norms, we strongly believe that efforts should be redoubled in this regard, in light of reported uses of cluster munitions in several contexts by States not party in recent years. As was stressed by many delegations today, it is critical that the Political Declaration condemns in unequivocal terms any use of cluster munitions by any actor under any circumstances. This stance was affirmed by States Parties in the Dubrovnik Declaration 2015 and was recently reiterated in the joint op-ed of presidents of the Swiss Confederation and the ICRC on the occasion of the 10th anniversary of the CCM's entry into force. It should only be reinforced in the Lausanne Political Declaration.

Additionally, with a view to preventing and further stigmatizing any new use of cluster munitions, drawing on their obligation under Article 21(2) of the Convention, States Parties should appeal to States not party that develop, produce, stockpile, or transfer these weapons to cease

immediately, and to adopt and announce moratoria on any future transfer of cluster munitions outside of their national territories.

Lastly, the Convention contains various measures and mechanisms for promoting its implementation and ensuring compliance with its provisions, and some of them may necessitate the adoption of domestic measures by States Parties. With a view to ensuring full and timely implementation of the Convention, we would suggest including a reference to “taking all appropriate national domestic legal, administrative and other measures” in **paragraph 11** of the Political Declaration.

Thank you.