



Statement by Ms. Charlotte Skerten

**First Preparatory Meeting for the
Second Review Conference of the
Cluster Munitions Convention
Agenda item 5(b): Lausanne Action Plan**

29 June 2020

Thank you Ambassador Baumann – it's wonderful that we are able to meet in person today for this preparatory meeting for the Second Review Conference of the Cluster Munitions Convention. New Zealand wishes to acknowledge all of the work that the Swiss delegation, the ISU and UNODA have undertaken to facilitate today's meeting. Thank you also for circulating working papers 4 and 5 to focus our discussions today.

In New Zealand's view, **Working Paper 4** provides an excellent starting point for a clear and ambitious Lausanne Action Plan that will build on the Dubrovnik Action Plan and guide our work under the Convention for the next five years.

As an overarching point, we fully support the general emphasis in the Working Paper on the need to promote universalisation of the Convention and its norms. Despite the overall reduction in cluster munitions use – and human suffering as a result of this – since our Convention entered into force, it is regrettable that there continues to be evidence of ongoing use of cluster munitions by non-states parties, particularly in Syria. It is important that we States Parties send a clear and collective message condemning cluster munitions use and that we bolster our joint efforts to progress universal adherence to the Convention as a matter of urgency.

New Zealand has the honour of acting as coordinator for national implementation measures, and we would like to make some additional comments in relation to the section of Working Paper 4 on this topic. Despite our efforts and those of many others (including the ICRC) to improve compliance with and transparency around Article 9, it remains unclear how a significant number of States Parties implement the Convention domestically. We urge all States Parties to clarify how they meet their Article 9 obligations, either through annual Article 7 transparency reports or at meetings

of States Parties. We appreciate that national implementation can be complicated, and New Zealand is happy to provide, or arrange for, additional assistance that may be required by States Parties to meet this obligation. Please do not hesitate to get in touch with the New Zealand delegation directly or through the ISU if this would be useful to your delegation.

We agree with the general focus of the national implementation measures section of the working paper and the actions proposed to improve compliance with this obligation through the Lausanne Action Plan. That said, there are three elements that in our view could usefully be clarified or emphasised:

- First, this section should reflect the fact that States Parties will not necessarily need to put in place new domestic legislation specifically to implement the Convention. Some States Parties may be able to fulfil their Article 9 obligations through their existing constitutional arrangements or regulatory systems, or by making minor regulatory amendments. In these cases, it is still important for transparency purposes that States Parties explain how they implement the Convention domestically as required by Article 9.
- Second, while we understand the focus for an increase in legislative provisions to ban investment in cluster munitions, we would not wish to see the Lausanne Action Plan over-emphasise this at the expense of the core obligations of the Convention.
- Finally, our efforts to encourage States Parties to provide information on the dissemination of national implementation measures to national actors, including armed forces, as suggested in the Dubrovnik Action Plan have yet to bear fruit. We wonder if, given the number of States that have yet to provide information on their national implementation measures under Article 9 of the Convention, a more realistic and valuable deliverable to include in the Lausanne Action Plan at this juncture might be to increase cooperation and assistance for, and awareness of, national implementation measures.

Thank you also for circulating **Working Paper 5** which sets out several very useful elements to guide our discussion on institutional aspects of the

Implementation Support Unit, which of course plays an essential role in supporting the implementation of our Convention.

We have two brief comments to make regarding this Working Paper.

- First, we support the idea of improving efficiencies and synergies with other conventions addressing similar issues (such as the Anti-Personnel Mine Ban Convention), including holding meetings back-to-back to decrease the burden of travel for capital based delegates, and further enhancing informal cooperation where appropriate – for example between coordination committee members of different conventions that are dealing with similar issues.
- Second, in response to your questions about the tenure of the ISU Director, we agree that to provide for better stability and continuity, the tenure of the ISU Director should be set at a minimum of four years, renewable once, in line with similar positions for other conventions. If that approach is taken, New Zealand would strongly support the extension of the term of the current ISU Director, Ms. Sheila Mweemba, for an additional two-years, in light of her exemplary work. Finally, we also wish to acknowledge the vital support provided by the GICHD for this Convention.

We look forward to engaging with you, Ambassador Bauman, your team, the ISU, coordination committee and all CCM States Parties to finalise the Lausanne Action Plan.