



Convention on Cluster Munitions Second Review Conference
Geneva, Switzerland
General Statement
Delivered by Disarmament Ambassador Lucy Duncan
20 September 2021

The New Zealand Delegation congratulates Switzerland on hosting this important milestone in the lifespan of our treaty – the second and final part of the Second Review Conference of the Convention on Cluster Munitions. Although the pandemic has delayed this meeting and prevented us from holding it in Lausanne, we think it is entirely appropriate that we mark this milestone here in Geneva, which hosts the fantastic Implementation Support Unit established to support our Treaty, under your leadership.

Mr President, New Zealand values this opportunity to reflect upon the distance we have travelled since the first review cycle and to consider how we can best work together to ensure the Convention continues to grow throughout the next review period in a way that enables us to best achieve its humanitarian objectives. In setting its course, here, for the forthcoming five years we will of course be keeping faithfully in mind the key objectives and outcomes which were established by the Convention. Under this Convention, all States Parties have the same set of obligations. Our shared vision is very clearly articulated in the Preamble to the Convention as adopted in 2008.

In that Preamble, we enshrined our determination to “put an end for all time to the suffering and casualties caused by cluster munitions” and to “work strenuously towards the promotion of [the Convention’s] universalisation and its full implementation”. This because – in the language of the very last preambular paragraph of the Convention – we have based ourselves on the principles and rules of International Humanitarian Law and, in particular, on our strong support for the obligation both to take constant care in any military operation to spare the civilian population and not to use weapons that fail to distinguish between civilians and combatants. This, then, is the essential element of the ‘object and purpose’ of the CCM and the basis for our rejection of cluster munitions as a weapon inconsistent with the dictates of international humanitarian law.

The New Zealand Delegation is confident, then, that from the outset the terms of the Convention have directed us, above all, to work for the same fundamental outcome: to “further the principles of humanity as evidenced by the global call for an end to civilian suffering caused by cluster munitions”. Clearly, this requires us all to work consistently for the creation of a strong norm against any use of cluster munitions. Something which we have deemed unacceptable for ourselves – on the basis of the requirements of IHL - can surely not be regarded as acceptable when in the hands of others (although for the present we may be forced in some circumstances to acknowledge the current reality of their existence in some others’ hands).

Retaining this vision which we all shared in 2008, and which we enshrined in the Preamble of our Convention, is of course essential to the task of shaping the direction of our activities for the forthcoming review cycle. It also gives additional emphasis to the importance of the documents we will adopt at this Review Conference – including the Lausanne Political Declaration and Action Plan.

Mr President,

New Zealand was one of the first States Parties to this Convention and our commitment to it is unwavering. We have been proud to serve on the Convention’s Coordination Committee since its inception, as Coordinator for National Implementation Measures. During this review cycle, we have hosted and co-hosted a series of regional workshops – in Uganda, Auckland and the Philippines – as well as a series of First Committee side events in New York, to promote understanding of this obligation as set out in Article 9 of the Treaty. We have also undertaken a significant letter-writing campaign to encourage States Parties to provide information about how they implement the Treaty domestically, and have engaged in bilateral outreach with a broad range of states. We are currently in the process of creating a video on National Implementation Measures for the CCM website, which we very much look forward to sharing with all of you in due course.

New Zealand stands ready to provide states wishing to become party to the Convention – or indeed existing States Parties – with assistance they may need to put in place the legislation or other administrative measures which may be necessary to give full effect to the Convention under their constitutional system. A range of model legislation and other tools have been developed to

support states with this, and we would be delighted to point you in the direction of this, or to provide more tailored advice. We know only too well that it is domestic implementation of the Convention's obligations that is key to securing the real promise of the Convention: no more cluster munitions victims.

Although the CCM is still some way from full universalisation, its membership continues steadily to increase. Critically, the use of cluster munitions is now seriously constrained and those countries or entities that have dared to use them in the period since the Treaty's adoption have met with widespread condemnation. New Zealand is deeply concerned by ongoing allegations, and evidence, of the use of cluster munitions in several parts of the world by states not party to this Convention – including recent use of cluster munitions in Syria and in Nagorno-Karabakh [*Comment: The 2021 Cluster Munitions Monitor confirms these two instances of use in the past year*]. New Zealand joins others here in continuing unreservedly to condemn any and all instances of the use of cluster munitions. We must – as a community of states, international organisations and civil society representatives – do all that we can to make cluster munitions a weapon of the past and to put an end to the suffering caused by these inhumane weapons and their remnants.

In conclusion, Mr President, may I say again how pleased New Zealand is to be at this Second Review Conference of the Convention on Cluster Munitions and for this opportunity to renew our commitment to our Treaty. New Zealand looks forward to working with all of you towards achieving its vision.