



Opening Statement by the Presidency of the 7MSP of the Convention on Cluster Munition (CCM) and main sponsor of resolution A/C.1/72/L.41 on its priorities and results achieved during its Presidency and the future of the Convention

---

Excellencies, dear Colleagues, ladies and gentlemen.

Welcome to our side event “Challenges to implementation and universalization of the Convention on Cluster Munition.

Let me at the outset welcome all our panelists

- Sachi Claringbould of the Netherlands
- Hugh Watson from Australia,
  - o both have played an important role in the Coordination Committee of the CCM and
- Jeff Abrahamson from the ICBL-CMC, representing civil society, a key actor in the implementation of the CCM
- and representing our special guest of honour Ambassador Maria Rubiales de Chamorro, Vice Minister of Foreign Affairs of Nicaragua, the current Presidency of the CCM, Ambassador Jaime Hermida Castillo.

I would like start by briefly summarizing the projects we undertook as the past CCM Presidency. In this context I would like thank all who have so actively supported us in these endeavors: Foremost, the members of the coordination committee, the team of the ISU and the disarmament directorate of UNOG.

It was our particular goal to engage in activities which we deemed as having the potential to increase the humanitarian purview of the convention and further the goal of universalization. To this end we consulted with important actors ranging from NGO's to international organizations as well as states within and outside the convention.

In this context we pursued the concept of so called “Country Coalitions” to promote the implementation of the Convention on Cluster Munitions in an individualized manner. You will find some copies of a more detailed description of this endeavor on the desks in the back. Let me here only briefly outline the key features of this undertaking and its key results.

As the Convention on Cluster Munitions does not have a dedicated implementation mechanism to assist countries in need of assistance with the implementation of their treaty

obligations, we launched an initiative that builds on a country specific approach and comprehensive cooperation. It should facilitate closer and more targeted donor state – affected state cooperation and help target countries to fulfil their respective obligations. This individualized approach called “country coalitions” shall notably promote mine action, including destruction, clearance, improved victim assistance and land release.

In order to conceptualize and promote the concept we organized two regional seminars in areas with significant cluster munition contamination (South East Asia and South East Europe). These meetings brought together interested donor states, international organizations, operators on the ground and other relevant experts. The meetings notably served to identify

- the concrete challenges in terms of destruction and clearance of cluster munitions
- possible activities/programs to overcome these challenges
- actors to assist an affected country in the implementation of CM-activities/programs.

We expect that after the concept phase the “Country Coalitions” will serve as an informal mechanism to enhance coordination of mine action in an effective non-bureaucratic way. Once proven viable with state parties, it might be envisaged to extend it as a next step to affected non-state parties, notably those suffering from a more general and complex contamination of explosive remnants of war.

Against the backdrop of the unfortunate trend of rising use of cluster munitions world-wide, we identified as another operational focus the need to improve communication channels with relevant non-States Parties. The objective was to address some current topical challenges regarding mainly recent use, export and presence of cluster munition in military doctrines. All together 12 informal meetings of the Presidency with 17 non-state parties - among them all major producer of cluster munitions and holders of stocks - took place.

In the informal meetings, we highlighted the evolving universally accepted legal norm concerning cluster munitions and emphasized in particular the humanitarian objective of the convention. Our primary goal was to learn more about non-members position concerning cluster munition, inter alia:

- What is the major rationale behind this position?
- How does the country in question see the CCM and in which context does it place its work?
- Is there a possibility for the country in question to contribute to the main humanitarian objectives of the convention (prevent undue suffering and the protection of civilians)?
- Are there possible intermediate steps to compliance or even future accession?
- Would the country in question be interested in maintaining a regular and more formal dialogue with the CCM?

Regarding the humanitarian impact of cluster munitions both relevant producers and holders of stockpiles acknowledged the humanitarian consequences of the use of cluster munitions when used in populated areas. All non-states parties with whom the Presidency met indicated that in case of possible use of cluster munitions there would be a thorough

assessment of the proportionality and necessity preceding such a decision. Of the major producers some signaled either a stop of production or thorough consideration of the utility of cluster munitions with regard to the development of future weapons systems. They notably acknowledged the need to eliminate or significantly lower the risk of unexploded ordnance or other explosive remnants of war. There was also a high sensitivity regarding the trade of cluster munitions and notably the need to stop trading outdated munitions as they constitute a particular risk to civilian populations due to the high incidence of unexploded bomblets.

The non-state parties we met cited various political, military and financial reasons for not acceding to the CCM, including financial constraints and the need for effective area defense and the specific military utility in specific security environments. Regarding the perceived military utility of cluster munitions including the perceived value of cluster munitions for area defense some of the involved non-states parties voiced the interest of a dedicated Military to Military exchange on this issues. As a result of this, a first workshop to share specific experiences of the transition away from cluster munitions was organized together with Switzerland, Austria, France, the United Kingdom and the GICHD. The format allowed for an in-depth inter-military exchange of views between military personnel in and outside of the convention. The dialogue was assessed as very useful by all participants and there was a common understanding to continue with this dialogue in the future.

Last but not least I would like to mention the efforts we have undertaken to raise and improve synergies between our convention and the Convention on Anti-Personnel Landmines because to affected communities or individuals it does not matter if they are facing a cluster munition, landmine or an IED challenge. This effort led to one dedicated event on land clearance in the margins of the APMBC-intersessional on 7 June 2017.

At the end I would like to draw your attention to the 2017 CCM resolution <http://undocs.org/A/C.1/72/L.41> which we have submitted together with 42 co-sponsors to highlight the importance of the CM issue. As you can see from the text we have tried to incorporate the essence of the activities which I have just outlined and thus help to further universalize and operationalize the convention. I hope you all can align yourselves with this resolution in the forthcoming voting in the 1<sup>st</sup> Committee.

I thank you very much for your attention and now turn the floor over to

- Ambassador Jaime Hermida Castillo, the floor I yours, Sir
- Next I would like to turn to
  - Sachi Claringbould of the Netherlands
  - Hugh Watson of Australia
  - Jeff Abraham of the ICBL-CMC