



# ICRC

## **Tenth Meeting of States Parties of the Convention on Cluster Munitions Geneva, August 30-2 September 2022**

### **International Committee of the Red Cross Statement on National Implementation Measures (Article 9 of the Convention)**

Mr. President,

The ICRC wishes to commend the diligent work conducted by New Zealand in its capacity as coordinator of national implementation measures.

The adoption of legal, administrative or other measures at national level to implement the key obligations of the Convention must remain a priority. If not already the case, States Parties shall ensure that their criminal legislation includes the imposition of penal sanctions. States Parties shall ensure respect for the Convention's provisions within their territory and by persons under their jurisdiction or control. It may also require issuing administrative instructions to the armed forces and introducing changes in military doctrine, policies and training.

According to the 2022 Cluster Munition Monitor, out of 110 States Parties today, 33 States Parties have enacted specific legislation to implement the Convention and 43 States Parties consider existing laws as sufficient to meet their obligations.

Despite the progress made so far, a significant number of States Parties have not yet shared information about the status of their national implementation of the Convention. According to the Monitor, 20 States Parties have reported that they are either planning or are in the process of drafting, reviewing, or adopting implementation legislation. One particular challenge lies in the lack of resources and expertise in completing legislative reviews in many States Parties. Further attention should also be given to integrating the Convention into military doctrines and trainings.

For its part, the ICRC stands ready to continue helping States in addressing these challenges in the course of developing their national implementing legislation. We have developed various tools, including a [Model Law](#) and an updated [factsheet](#). Our database on [National Implementation of IHL](#) provides many examples of how States have incorporated their obligations regarding cluster munitions in their domestic legislation. In 2020, we have published a legislative [checklist](#) for the Convention, complementary to the ICRC Model Law. This simple and user-friendly tool outlines what steps need to be taken to ensure the implementation of the Convention specifically under article 9, as well as good practices in the implementation of other articles.

This year we have worked on the implementation of this treaty with National IHL Committees or similar inter-ministerial advisory bodies. We have also addressed this Convention in regional

dialogues, such as with the African Union and we will do so in South Asia through the ICRC IHL Regional Conference in Kathmandu later this year. If possible and where invited to do so, the ICRC can provide hands-on technical and drafting advice to governments bilaterally.

As always, the ICRC remains available to provide States with assistance and advice on implementing measures.

Thank you.