

Statement of the President of the 12MSP on Lithuania's Deposit of Instrument of Withdrawal from the CCM

We deeply regret that on 6 September 2024, Lithuania has given notice of its withdrawal from the Convention on Cluster Munitions (CCM) to the United Nations Depository and the Security Council. As envisaged by the Convention, the withdrawal shall only take effect six months after the receipt of the instrument of withdrawal. This is the first time that any state denounces a humanitarian disarmament treaty.

Lithuania has been a State party to the CCM since 1 September 2011, fulfilling all its treaty obligations to this day. Although exercising its national sovereignty within permitted provisions of the Convention, we are compelled to note that this decision may have widespread implications indicative of an overall weakening of international humanitarian law (IHL).

At this key moment, where we once again have seen the tragic impact of use of cluster munitions in the context of armed conflicts in Myanmar, Syria, Ukraine, and Yemen, the global community should be reinforcing the respect for the Convention's complete ban of these weapons, and not take steps to undermine the norm.

We recall that the Oslo declaration of 2007 recognized the grave consequences caused by the use of cluster munitions and that in accordance with IHL the protection of civilians cannot be guaranteed when cluster munitions are used. The ban on cluster munitions is based on their indiscriminate nature, and no conditionality is justified, including due to evolving regional security dynamics or geopolitical threats. This body of law is meant to govern states' behaviour not only in peacetime, but even more so in times of conflict.

The CCM preamble recalls that, based on the principles and rules of international humanitarian law, in particular the right of parties to an armed conflict to choose methods or means of warfare is not unlimited. The rules stipulate that the parties to a conflict shall at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly direct their operations against military objectives only. The preamble also recalls that in the conduct of military operations constant care shall be taken to spare the civilian population and civilian objects, and that the civilian population and individual civilians must be accorded general protection against dangers arising from military operations. The fulfilment of these principles is precisely what the CCM addresses, with the aim of putting an end for all time to the casualties and suffering caused by cluster munitions.

Notwithstanding the denunciation of the CCM, Lithuania remains legally bound by its international obligations under IHL.

The importance of maintaining and reinforcing established international norms and preserving the effectiveness of existing humanitarian disarmament treaties is a shared responsibility among states valuing the protective fabric of international humanitarian law, developed over generations to protect civilians in ongoing and future armed conflicts. Seeing these developments, we acknowledge that the current landscape demands a realistic

assessment of the challenges faced by states, and how the Convention's prohibition norms and machinery respond to these. Renewed efforts towards universalization, from a broad dimension, should be given urgent priority in this context to highlight the security dividends from the Convention.

Lithuania's actions will have long lasting and global repercussions, weakening a norm that protects individuals and communities around the world.

The President of the 12MSP reiterates its offer of constructive dialogue with Lithuanian stakeholders to reinforce the importance of the CCM as an IHL instrument for the protection of civilians and to call for their reengagement with the instrument.