

CMC - Opening Statement

*Convention on Cluster Munitions 12th Meeting of States Parties, Geneva
10 September 2024*

Thank you Madame President,

Dear Excellencies, dear colleagues, I am speaking to you on behalf of the Cluster Munition Coalition, which represents individuals and communities affected by cluster munitions worldwide. I also represent the Landmines Resource Center in Lebanon, a CMC member organization, which conducts risk education and advocates for the rehabilitation and reintegration of survivors.

As part of my work in Lebanon, I am regularly witness to the deadly legacy that cluster munitions systematically leave behind. I work with victims of cluster munitions who have had horrific injuries and needed extensive medical treatment and rehabilitation, including multiple surgeries, prosthetics, and long-term physical therapy. I work with communities still suffering economically as contamination has rendered large areas of land unsafe for agriculture or development, taking away their primary source of livelihood. I talk to people who still suffer from post traumatic stress disorder, with the fear of unexploded ordnance causing ongoing psychological distress to them and their communities.

To illustrate these points, I would like to share with you the story of Nahla el Basha, a 55 year old woman from a remote rural area in Lebanon. Nahla was injured when she was 13 years old. In the same incident, her sister died. They were helping their father cultivating the land when it happened. Nahla lost her will to live, and she says that she is only counting the days as she doesn't feel that she is alive since then. In order to save her life, her parents were obliged to sell to their cows, the only source of living for the family. She is being treated as a curse to her family since she was 13. Nahla is asking you to clear the world from cluster munitions and to stop using it.

Madame President, this Meeting of States Parties could not come at a more critical moment. After years of fluctuation between success and stagnation, the Convention on Cluster Munitions stands at a crossroads where decisive action in the right direction is greatly needed.

On the positive side, the convention's preventive nature has indeed reduced production, transfers, and use, until recently. Each and every State Party that had stockpiles has now destroyed them, an incredible accomplishment that means 179 million submunitions will no longer be able to maim a child or destroy a family's

livelihood. The convention's strong provisions on clearance and cooperation – coupled with clear national ownership and long-term international partnerships – have made large areas of land safe again in countries such as my own. The rights and needs of survivors of cluster munitions and their communities are advancing in ways unimaginable without the convention's comprehensive provisions. This convention has tremendous potential, and in many ways, we have seen the fruits of this promise delivered.

And yet, Madame President, the other side of the story is one of regrettable neglect, wherein the norm against cluster munitions has been allowed to falter, and the taboo against use is not as strong as it once was. Universalization has been disappointingly slow, with only a small number of new States Parties in recent years, and 12 signatories failing to ratify over 15 years after signing. Where is the political will in these states to fully embrace the norms they committed to so long ago? Where is the action by States Parties to encourage other states to ratify or accede, as required by Article 21?

We are also deeply troubled by the rising use of cluster munitions in recent years. In addition to ongoing use in Myanmar and Syria, there has been massive use by Russian forces in Ukraine, causing hundreds of casualties and planting the destructive seeds for many more victims in the future. Ukraine – in a desperate attempt to roll back Russian aggression – has also stooped to using cluster munitions on its own territory, knowing that most of the victims for the foreseeable future will be Ukrainians. Neither country is a State Party, but we would argue that the actions of many States Parties have – to various extents – enabled ongoing use. When states do not consistently speak out against use or otherwise stigmatize cluster munitions, use becomes normalized. When states do not protest multiple transfers of cluster munitions to a war zone, that silence communicates a tolerance for use. When a state allows an ally to stockpile cluster munitions on its land or transport them through its territory to a conflict, that state is also facilitating use.

But perhaps the biggest challenge we face today is the shocking decision of the government of Lithuania to leave the convention. The CMC wholeheartedly condemns this decision and calls on Lithuania to reconsider its decision before the six-month withdrawal window closes. We fully recognize that Lithuania acted due to the frightening security situation in their region, and that every country has the right to defend itself. Nevertheless, Lithuania and all other States Parties reflected on their defense needs long ago, and decided then that the harm cluster munitions are known to cause to civilians far outweighed any hypothetical military utility. They realized that such unreliable, imprecise, and indiscriminate weapons were a relic of the past and should not be part of any responsible state's arsenal. It bears repeating that if Lithuania were to use cluster munitions, its own civilian population would be the ones paying the price for long years to come.

Lithuania's decision carries potential ramifications far beyond its borders. This unprecedented decision risks tearing the protective fabric of international humanitarian law developed over generations to protect civilians in ongoing and future armed conflicts. IHL cannot protect civilians if it is set aside the moment it is needed most – in times of insecurity or conflict. In sum, Lithuania's decision is a win for countries like Russia that seek to weaken restraints on war and undermine the rule of law.

Madame President, strong leadership is urgently needed to guide the convention

ahead on the strongest possible path. We call on States Parties to unconditionally defend this convention, IHL, and the protection of civilians in conflict. Your words to protect the convention this week will have great impact. But please remember that a choice to remain silent also sends a strong message, but an unhelpful one. The survivors I work with in Lebanon will be listening, as will friends and foes of the convention worldwide. We look forward to hearing from you all.

I will now hand the floor to my friend Raed Mokared, who could not join us in person unfortunately, to speak share thoughts from the perspective of someone who has lost a child to cluster bombs.

Thank you.