

CMC Statement on Universalization

*Convention on Cluster Munitions Intersessional meetings
Geneva, 7-8 April 2025*

Thank you Mr. President,

At a time when International Humanitarian Law is under unprecedented threat, joining the Cluster Muniton Convention is a concrete and practical measure that governments can take to demonstrate their commitment to IHL and bolster the protection of civilians worldwide. We would like to make a particularly strong call to the 12 signatory states to the convention to finish their ratification process without further delay. By signing the convention, these states have already made a formal commitment to respect the norms of the treaty, but their long delay in finishing the process sends a contradictory message of disinterest that is unhelpful in today's environment.

The Cluster Muniton Coalition continues to engage states not parties to urge ratification and accession to the convention, including at the First Committee of the UNGA, where we met with 8 States not parties and 3 signatories. Three of these states - Jamaica, Tanzania and Zimbabwe - indicated that ratification and accession processes were ongoing. At UNGA, 139 states voted in favour of the annual resolution on the CCM in the First Committee in the CCM in November 2024, which is a concrete, positive way that states outside the convention can signal their support for its humanitarian goals in addition to destroying stocks, clearing land, supporting victims and enacting moratoria on use, production, and acquisition of cluster munitions.

Last month, the CMC and our member organization in Philippines – Nonviolence International - were pleased to participate in the Universalization Workshop in Manila hosted by the Philippines, which demonstrated the president's firm commitment to widening membership in this region. As the presidency noted, the meeting was very constructive and showed some forward movement in a number of states, including one that announced that the Convention had just been made law by their parliament, and another that it was included in a list of 3 conventions about to be presented for approval. Most attendees acknowledged that movement toward accession was proceeding slowly, but felt encouraged by the event to speed up the process.

Mr. President, our convention has been shaken by Lithuania's ill-considered and rushed move last year to withdraw from the Convention on Cluster Munitions in

response to heightened regional insecurity. We recognize the fear of the people in these countries and the desire of their governments to show they are doing all that is possible to protect their population. But there are red lines that must not be crossed, and using indiscriminate and inhumane weapons like cluster munitions is one of them. Instead of making them safer, the use of cluster munitions will certainly increase risks to the people of Lithuania given the immediate and long-term danger these weapons pose to civilians. We know for a fact that where cluster munitions are used, large amounts of cluster munition remnants will litter fields, orchards, and homes for the many long years after conflicts end. We have tragically seen that children in particular are drawn to these small shiny objects, resulting in accidents that often take the life or limbs of the not just the curious child, but also of any bystanders like a brother or a friend. Indeed, according to the [2024 Cluster Munition Monitor Report](#), civilians made up 93% of all recorded cluster munition casualties in 2023, with children accounting for almost half of the total.

Since the 19th century, governments have agreed to accept limits on the methods of warfare, not only to protect their own populations from the most egregious effects of armed conflict, but also to insert some element of humanity into the brutal business of war. It goes without saying that when governments sign up to such laws, they are not simply endorsing theoretical legal principles. They must also be willing to abide by them in case they would need to be implemented. What message does it send to Russia and other states intent on undermining global norms and the rule of law if past commitments are so casually set aside when conflict again seems a possibility? What does it say to other countries feeling similar threats in other regions of the world? And where does one draw the line relative to other banned weapons or practices? We are now seeing a knock-effect – after the precedent set by Lithuania, it and 4 other countries are now poised to leave the Mine Ban Treaty. What will be next if we don't firmly stand up for these conventions?

It is particularly unfortunate that Lithuania took such steps without broad consultation within the country or with its own civil society and without broad consultations with other States Parties and the convention community, all of whom are affected by its decision. CMC engaged with representatives of Lithuania to urge them to reverse their withdrawal decision, and we recognize and appreciate similar efforts by many others of you. Now that their departure is final, we call on all States Parties to honor their obligation to do all they can to discourage states not party from using cluster munitions.

The ban on cluster munitions is also being tested by new use, production and transfers of cluster munitions by countries that have not joined it. Between July 2023 and October 2024, the United States approved seven transfers to Ukraine of US cluster munitions delivered by 155mm artillery projectiles and by ballistic missiles. The U.S. seemed to be doing all it can to transfer its stocks of obsolete

cluster munitions to Ukraine, despite repeated warnings about the risk of civilian harm and long-term humanitarian impact.

We are also concerned about how these weapons are arriving in Ukraine. A July 2024 report shows that cluster munitions stored at a US military base in Germany have been transferred to Ukraine since July 2023, transiting across Germany's territory in the process. This is deeply regrettable and a further erosion the convention's global norms. We expect all States Parties to abide by their obligation under Article 1 to prohibit assistance with prohibited acts and Article 21 to prevent use by states not party. In the CMC's view, this includes forbidding foreign stockpiling or transit through their territory, an interpretation shared by at least 34 States Parties.

At the 12th MSP States remembered that these weapons are banned because of their "unacceptable harm and severe suffering to civilians. They noted that any perceived military utility is outweighed by the humanitarian harm they cause" and that "the norms established by IHL and enshrined in the CCM function precisely as a guardrail to protect civilians in times of conflict or heightened insecurity." In a time of ongoing use, transfers, and willful subversion of the norm, the CMC calls on all States Parties to unambiguously reaffirm these statements in their public and bilateral statements on every possible occasion. In more positive terms, we conclude by calling on all states to remind those outside the convention why this instrument was needed and how successful it has been, and how by joining the convention, they can join with us in enhancing the safety and well-being of communities worldwide.

Thank you.