

Thank you, Mr. President,

I would firstly like to thank you and the ISU for the inclusion of this relevant topic on the agenda, and to the group of general status and operation of the Convention, in particular Austria, to organize such a structured and currently important debate.

1. In a fractured and divided world, with growing dynamics of Great Power competition and in which there is a strengthened vision of security through the lens of states, it is vital to highlight that international security is not merely an abstract dynamic of interstate stability, but it must be cognizant and give priority to the interrelated focus on human security, that safeguards individuals from threats to their survival, dignity, and well-being.

2. Efforts towards humanitarian disarmament is centered in a deep-seated belief in multilateralism and the rule of international law, the communion with the goals of the UN Charter, and its commitment to the different protective frameworks like IHL, International Human Rights Law, and the pursue of sustainable development.

3. This has been our motivation to be part of the core group of the CCM and other humanitarian disarmament frameworks. The positive results on

destruction of stockpiles, clearance of contaminated lands, initiatives on risk education, furthering victim assistance and innovative cooperation and assistance frameworks have been tangible and extensive, and have justified all efforts.

4. However, we unfortunately find ourselves in a context in which there are increasing challenges to the humanitarian disarmament conventions, including by the withdrawal of Lithuania that materialized in March and other 5 States considering withdrawal of the APMBC. We are witnessing the prospective erosion of over two decades of hard-won gains and progress made to prevent further civilian harm and in stigmatizing use of these indiscriminate weapons.

5. Therefore, it is important to retrieve all the important lessons of the humanitarian disarmament regimes, which remain fully applicable, amidst a renewed justification from some quarters to the possession, transfer and use of landmines or cluster munitions.

6. We cannot overstate the paradigmatic shift that in its time the APMBC and the CCM represented. I think therefore that it is important to highlight, as has been done by the ICRC, some of the lessons learned from

these processes, and which are important in the present environment.

7. First, a swell of public support allowed to shift the disarmament narrative from one of military priorities and technical considerations, to one centered on the protection of victims. It was a concerted effort to bring more attention to the dimension of humanitarian and developmental consequences of these weapons, rather than their strategic utility. There is no all-encompassing justificative mantra on the basis that war is extremely violent and mortal. IHL is clear that the means and methods in the conduct armed conflict are not unrestrained.

8. Second, humanitarian disarmament instruments had to overcome the narrative of “achieving a proper balance between military necessity and humanitarian protection”. This long-used sophism had always been a stumbling block, as the equilibrium was in the eye of the beholder. However, there was a strong push by the champions of humanitarian disarmament that while the balance applies in the operationalization of the general principles of IHL as distinction, proportionality and precaution of attack, it cannot apply to those weapons that are indiscriminate by nature or in their use, or that have excessively injurious effects, as cluster munitions.

9. Third, there was a fundamental need to reiterate that IHL, and the same can be said of International Human Rights Law, are not permissive but rather protective legal frameworks.

10. Sometimes the legality principle wants to be applied from the basis of whatever is not prohibited is permitted. However, IHL itself recognizes the overbearing protective nature as reflected in the Martens clause. It is important to remember that during the prohibitions of landmines and cluster munitions, it was never conceived as a *lex specialis* that only prohibited weapons of those that became party to the treaty, but rather a clarifying norm of prohibition on the basis of the correct application and interpretation of existing principles and rules of IHL.

11. 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.

12. Fourth, during the negotiations of humanitarian disarmament conventions, it became clear the dissonance between technical specifications and

reliability claims with the actual experience of the use of such weapons in conflict. Not even the best tests dependably reflect operational conditions in the real world. This produced a fundamental changed dynamic on the burden of proof, as the pressure mounted on producing and possessing states to go beyond mere claims. This case has to be reinvigorated.

13. Fifth, another innovative perspective from the negotiation of humanitarian disarmament conventions is that the effects of prohibited weapons must go beyond the direct casualties (which have been proven to be overwhelmingly civilian and children), but also the long-term indirect and reverberating effects.

14. Sixth, the need to further the interlinkages of humanitarian disarmament and development. Particularly the medium-and long term consequences to the lack of access to agricultural lands and food security, the affectation of primordial public services like education, healthcare, sanitations, amongst others. With a particular understanding of the victim needs and their assistance.

15. Finally, the need to build alliances from multiple stakeholders, each bringing a particular concern and

vision that builds onto a strong humanitarian movement. Particular importance is the viewpoint of survivors and affected communities. Each piece is important to the whole.

16. I sincerely hope that this event reignites the spirit of the CCM, and reflects on means on how to redouble efforts to mitigate the humanitarian impact of indiscriminate weapons.

17. Mexico is convinced that States Parties must lead all possible efforts to put an end to the suffering caused by cluster munitions, in alliance with other relevant stakeholders, and also by taking into account the voices of victims and survivors and their various needs.

18. We will continue to cooperate and remain committed to the full implementation of the Convention, promoting its universalization and reinforcing the norms it establishes, in order to advance toward a world free of cluster munitions and to address the humanitarian consequences and unacceptable effects these weapons have on civilians.

19. Thank you.