

CMC Statement on National Implementation Measures
Third Review Conference, Convention on Cluster Munitions
Vientiane Capital, 14-18 September 2026

Mr. President,

Article 9 contains significant and fundamental obligations designed to ensure implementation of the Convention at the national level.

The article requires States Parties to incorporate the Convention's obligations into national legislation, which is the strongest form of implementation because of its binding and enduring nature. Such laws must include penal sanctions to punish violations of Article 1's prohibitions. CMC recommends that the laws also include a ban on investment in cluster munitions producers as well as a ban on foreign stockpiling and transit of cluster munitions through its territory as part of the relevant prohibitions on direct or indirect production, stockpiling, and transfers or assistance in these activities. It should also contain provisions on the convention's positive obligations.

To date, 67 per cent of States Parties have adopted specific legislation to implement the Convention or have indicated that existing national laws are sufficient. Niue was the last country to enact national implementing legislation for the convention, in 2021. According to data from the *Cluster Munition Monitor*, no State Party has enacted implementation legislation for the Convention since. This lack of progress, particularly given that the Second Review Conference called for legislation to be adopted by 2022, is unacceptably slow.

That said, we welcome the fact that Guinea-Bissau has requested international assistance in drawing up such legislative measures, and we call on those countries that deem it necessary to follow Guinea-Bissau's example.

We also call on those States Parties which have yet to implement national legislation to do so by the Fourteenth Meeting of States Parties. They can draw inspiration from various existing best practices and the several guides available to facilitate development of robust legislation. The CMC prepared model legislation in 2020. Human Rights Watch and Harvard Law School's International Human Rights Clinic have identified key components of comprehensive legislation. The ICRC has proposed a model law for common law states, and New Zealand has prepared a model law for small states that do not possess cluster munitions and are not contaminated by their remnants.

Other States Parties' national measures can also serve as a model. For instance, Italy, the country I come from, has adopted dedicated legislation and administrative measures to implement its mine-action commitments. These include a national committee that brings together government institutions and civil society, a Humanitarian Demining Fund established in 2001 that has ensured sustained support for mine-action activities, and a 2021 law prohibiting the financing of companies involved in producing anti-personnel mines and cluster munitions. Italy's experience illustrates how national implementation can combine coordination, long-term funding, and financial regulation.

Article 9 obligations call for administrative and other measures as well as legislative ones. Therefore, CMC welcomes Panama's working paper on the National Implementation Support Initiative, which is a useful framework for improving implementation as it offers a practical and principled approach to advancing the humanitarian goals of the convention at the national level. It is consistent with the convention's cooperative approach and could help states fulfill their Article 6 obligations to provide "technical, material and financial assistance." The six guiding principles are also important because they emphasize, among other points, the value of partnerships, a focus on the needs of the state seeking assistance, and the importance of practicality. The CMC looks forward to working closely with Panama on following up on its paper.

In conclusion, the Third Review Conference's outcome documents should include a clear call for States Parties to take action on national legislation and other implementation measures. By doing so, States Parties will not only fulfill their Article 9 obligations but also reinforce the foundations of the Convention, which is critical at a time when it is facing numerous challenges.

Thank you.