

**CONVENTION ON CLUSTER MUNITIONS  
FOURTH MEETING OF STATES PARTIES  
LUSAKA, ZAMBIA, 9-13 SEPTEMBER 2013**



**Summary of the session on Universalization**

The 4MSP was marked by the good news of accession to the convention by **St. Kitts and Nevis**, on 13 September. During the session on Universalization, the Co-ordinators of the Working Group, **Ghana** and **Portugal**, urged States Parties and regional organizations to embrace the goal of universalizing the Convention on Cluster Munitions (CCM). They shared a number of recommendations such as the use of a regional approach to universalization and the promotion of technical expertise exchanges with new States Parties.

A number of states spoke about universalization issues under the General Exchange of Views agenda item. Such interventions appear in the summary on Opening and General Exchange of Views, and interventions by signatories and non-signatories during that agenda item are also pasted below.

***Statements by signatories and non-signatories***

During the session on **Universalization**, the **Republic of Congo** said that its ratification process was underway and affirmed that it would be a State Party to the convention before the next MSP. **Gabon** reiterated its full commitment to strengthening the universal acceptance of the convention and announced that its accession was “not far away.” **South Africa** announced that on 4 September the Cabinet approved sending the CCM to Parliament for ratification and expressed hope that the process would be finalized as soon as possible. **South Sudan** explained that its national mine action authority is assisting the government in acceding to the convention, and stated, “Rest assured, it will not take us long” to join.

During the **General Exchange of Views**, the following signatories took the floor. **Angola** noted that whereas it is not yet a state party to the CCM it is involved in identifying and destroying cluster munitions on its territory, and added that its ratification process is at a “very advanced stage.” **Benin** reported it will soon conclude its process of ratification and reaffirmed that it doesn’t produce, use or transfer the weapon. **Canada** reported its implementing legislation is currently under review by the Parliament and added it has already taken steps to apply the CCM such as withdrawing its remaining stock from active service, starting its destruction, and advocating for states not party to accede to the convention. **Colombia** reported its legal procedure to accede to the convention is in its last review phase by the Constitutional Court and highlighted that it has already destroyed all its stockpiles (without any retention) and has never manufactured the weapon. **Kenya** said ratification was “under consideration by the government.” **Madagascar** reported on its political situation that is hampering ratification and expressed hope to bring new information about its ratification process at the next intersessional meeting. **Namibia** announced it would become a State Party to the CCM before the 5MSP. **Nigeria** said it was taking “every necessary step to expedite ratification” and called on States Parties to redouble their efforts in strengthening international cooperation to achieve the objectives of the convention.

Also during the **General Exchange of Views**, the following non-signatories took the floor. **Cambodia** explained once again that a range of national stakeholders wish to study the convention’s definition of the weapon before any further step can be taken towards joining. **China** expressed the view that irresponsible use and transfer is the main cause of concerns over cluster munitions and added that it is ready to cooperate with States Parties to the CCM. **Ethiopia** noted that it does not produce nor

transfer cluster munitions, that it “fully” supported the convention and that it had given consideration to the possibility of joining. **Mongolia** said that it fully supports the spirit and principles of the CCM and that it would continue to pursue its step-by-step approach to accession. **Palestine** said it stands ready to support and promote the CCM. **Thailand** shared the view that rapid universalization is important. It reported that even if it is not a State Party to the CCM, it has been implementing some obligations of the convention concerning clearance, risk education and victim assistance, and that it “adheres strictly to (the) humanitarian principles created by the Convention.” **Vietnam** said it supports the humanitarian goal of the CCM, and reported that it has adopted guidelines including a comprehensive plan for 2010-2025 showing its determination to clear and destroy cluster munitions.

During the session on ***National Implementation Measures***, in response to criticism from the CMC, **Canada** expressed the view that its draft legislation “reflects all of the legal obligations of the Convention that require domestic implementing legislation”. Canada said that it may be able to pass the legislation later this year or next year. The **Central African Republic** noted that its ratification process was “underway”.

### ***Statements by States Parties***

During the session on ***Universalization***, **Australia** reiterated its commitment to encourage states not party to join the convention and reported on the support it provided to eight Pacific Islands Countries participating in the second Pacific Regional workshop on explosive remnants of war, in 2013. **Belgium** highlighted the importance of choosing the adequate political level to conduct outreach activities. The **Comoros** encouraged each State Party to be involved in universalization efforts, which could be guided by the approach developed by the Organization for the Prohibition of Chemical Weapons.

**Croatia** reported on a workshop organized with the FYR Macedonia in May 2013 in Skopje, which aimed to publicize 3MSP outcomes and to provide a forum for discussion on the implementation of the CCM in South East Europe. **Ecuador** outlined the importance of regional efforts in promoting the convention and the need to understand the accession challenges faced by each country in order to provide them with adequate assistance. **France** said it will continue its efforts to promote the universalization of the convention and will take additional steps by targeting specific countries and working in some cases in collaboration with Handicap International.

The **Holy See** stated it is essential to involve producers and users in the work of the CCM to reduce the risk for the civilian population. **Ireland** said noted that the presence of states not party at the 4MSP showed the growing impact of the CCM. **Japan** noted with regret that only three Asian states are party to the CCM and two are signatories, and restated its commitment to promote the convention in Asia. **Lao PDR** reported on its national activities to raise awareness on cluster munitions and welcomed the growing number of States Parties as a demonstration that the CCM is becoming a standard among UN member states. **Lebanon** spoke about its activities to celebrate the 3<sup>rd</sup> anniversary of the CCM in August 2013 and called on all Arab countries not yet party to follow the “Iraqi path” and join the convention.

**Lesotho** said it is currently elaborating a national implementation law that will ban the use, production, transfer and stockpiling of cluster munitions and include penal sanctions. The bill will soon be presented to the Cabinet for approval. **Malawi** shared the view that regional meetings should be encouraged to achieve a world free of cluster munitions. **Mali** noted it had to interrupt its implementation efforts due to a political crisis, but is now fully committed to participate in the efforts to fight cluster munitions.

**Mexico** reiterated its will to support countries in their ratification process and paid tribute to those participating in the 4MSP as observers and thus demonstrating their commitment to the CCM. **Norway** stressed the importance of encouraging affected states to join the convention and welcomed the fact that “an international norm against the use of cluster munitions has gained near universal support, including from states that so far have chosen to remain outside the Convention – with one notable exception, which has been widely condemned.” **Zambia** reiterated its desire to see Africa as the first continent to achieve full universalization of the CCM.

### ***Other interventions***

During the session on ***Universalization***, the **ICRC** urged non-member states to take the necessary steps to accede to the CCM before the next Meeting of States Parties and also commended the regional initiatives promoting the convention. The **UN Inter-Agency Coordination Group for Mine Action** said universal adherence to the CCM is more important than ever and that “there must be no compromise to the stigmatization and prohibition of the use of cluster munitions.”

Speaking on behalf of the **CMC**, Amy Little stressed that the universalization of the convention was the CMC’s top priority and would help prevent future use of cluster munitions by reinforcing the global norm rejecting these weapons: “we need States Parties that will make this a top foreign policy priority and will devote the diplomatic and financial resources necessary to champion the cause of universalization.”

### ***Reactions to instances of use (covering all sessions of the 4MSP)***

A large number of states took the floor during the various sessions of the 4MSP to react to cluster munition use by Syria, or to condemn any use of the weapon by any actor.

**Canada, Costa Rica, Czech Republic, Denmark, Ecuador, France, Germany, Ireland, Italy, Lao PDR, Madagascar, New Zealand, Norway, Portugal, Switzerland** and the **UK** condemned or expressed grave concern with the use of cluster munitions by Syria. The **European Union** said it was deeply concerned with the use of cluster munitions against civilian populations and called upon the Syrian regime to refrain from using cluster munitions. **Albania, Bosnia and Herzegovina, Iceland, FYR Macedonia, Moldova, Montenegro** and **Turkey** aligned themselves with the EU statement. In reaction to cluster munition use in Syria, the **UN Inter-Agency Coordination Group for Mine Action** said that “there must be no compromise to the stigmatization and prohibition of the use of cluster munitions. What seems like a never-ending cycle of violence, destruction, and suffering must stop.” The UN Resident Representative in Zambia

**Albania, Chile, Honduras, Togo** and **Zambia** condemned the use of cluster munitions by any country. **Austria** expressed its concerns regarding the use of cluster munitions by states not party. **Cambodia** and **Swaziland** supported the international community’s call against the use of cluster munitions against civilians. **Japan** said it was deeply concerned by the reports of use of cluster munitions in an on-going conflict. **Ghana** expressed its deep disapproval of the use of cluster munitions in the past and in some on-going conflicts, and condemned the concerned countries. **Lebanon** condemned the use of cluster munitions in all parts of the world and in particular the use by Israel against Lebanese civilians. **Mexico** said the use of the weapons was highly worrying and that any use by any actor under any circumstances constitutes a violation of international humanitarian law. **Mongolia** denounced the use, development, and production of the weapon. **Mozambique** sincerely regretted that cluster munitions continued to be used despite international condemnations. **South Africa**

expressed its concern “about the alleged use of cluster munitions in recent conflicts since this Convention entered into force” and called upon all states to condemn any use of cluster munitions.

The **International Committee of the Red Cross** expressed concern with the reports of use of cluster munitions and deplored that such use was being witnessed despite the stigmatization effect of the CCM.

### ***Mentions of CMC or civil society***

**Australia** acknowledged the positive contribution of civil society in encouraging broad participation in the CCM and said it will continue to support the CMC in its advocacy efforts, including in the Asia-Pacific region. **Comoros** gave special credit to the clear commitment of NGOs on the cluster munition issue. **Ghana** and **Portugal** reiterated their gratitude to the civil society, including the CMC, for its tireless efforts to promote the convention globally. **Lao PDR** expressed its appreciation to the work of civil society in universalizing the convention. **Lebanon** acknowledged the support from the civil society, including the CMC, in the efforts to fight cluster munitions in the region.

Statements from the session on universalization are available at <http://bit.ly/1fl8X0V>