

CMC Statement on Compliance
Convention on Cluster Munitions Intersessional Meetings
Geneva, 17 April 2013



Thank you Mr. President,

The Convention on Cluster Munitions in this early phase has fortunately not faced any significant compliance issues. As stated earlier this week, many states are late in complying with Article 7's requirement for initial and updated reports on status and progress. This means we cannot know the full picture of compliance with the convention and we call on states to fulfill this reporting duty with due diligence.

In addition, in order to properly assess compliance, it is necessary to have a common understanding on which activities are banned and which are not. This is particularly relevant with respect to the issues of transit of cluster munitions, foreign stockpiling, and assistance with prohibited acts during joint military operations with non-states parties. Most States Parties that have expressed a view have said these activities are prohibited, but a few states have expressed a contrary view.

Other than these two issues, from what we have learned, we see that states are taking early action to fulfill their convention duties, and this is good news.

On the other hand, we have extremely bad news regarding compliance with the norm that the convention is establishing. The Cluster Munition Coalition would like to again express its deepest concern about the widespread and on-going use of cluster munitions by governmental forces in Syria.

We have been hearing reports of the use of cluster munitions by Syrian forces since last summer, but the scale of use is now known to be widespread and expanding, including in residential areas. This information is derived from field investigations and from preliminary analysis by CMC member Human Rights Watch of over 450 videos posted to the internet by activists. More than 150 cluster bomb attacks in at least 119 locations across Syria have been documented in the period from August 2012 through mid-February this year, with some locations suffering repeated attacks. New incidents of use of cluster bombs by the Syria regime have also been reported in March and April.

This use has led to mounting casualties, including women and children. Two recent attacks reportedly led to the death of 11 civilians, including two women and five children, and the wounding of 27 others. We do not have an overall toll of casualties, but when these indiscriminate, wide-area weapons are used in residential areas, it is sure to be high. And the initial toll is only the beginning – who knows how many unexploded bomblets have been left behind? How many more children will be tempted to pick up one of these small, lethal objects long after the conflict has ended?

Syria has not joined the Convention on Cluster Munitions. But the large-scale and relentless use of cluster bombs by the Syrian regime is in clear defiance of the norm the convention is creating and

violates Syria's obligations under international humanitarian law to distinguish between military and civilian targets.

All nations that have joined the Convention on Cluster Munitions have a legal obligation under Article 21 to speak out against use. If there was ever a time to speak out, it is now. You are in this room because you care. We urge you all to issue a public condemnation of Syria's cluster bomb assaults in the strongest possible terms. Only around 18 states that we know of have done so to date. There should be at least 112.

We thank those states that have already spoken out and hope all others in the room will join you. Again, for those states that are part of the convention, it is a legal obligation. But for all states, it is a moral one. Continued stigmatization of cluster munition use depends on users hearing a rapid, roaring outcry from other states. We need your loud voices, and we need to hear them now.

Thank you.