CONVENTION ON CLUSTER MUNITIONS
THIRD MEETING OF STATES PARTIES
OSLO, NORWAY

TUESDAY 11 SEPTEMBER 2012
SUMMARY

Opening

Norwegian Minister of Foreign Affairs Jonas Gahr Støre opened the Third Meeting of States Parties by hailing progress made on implementation of the Convention on Cluster Munitions, noting that the preventative nature of the convention mostly means that “we were able to stop the problem before it started.” The Minister expressed confidence that the time frame for clearing contaminated areas worldwide was now one or two decades maximum, with most affected states able to complete clearance within five years.

Adnan Mansour, Lebanese Minister of Foreign Affairs and President of the 2MSP, referred to the convention’s ground-breaking provisions on victim assistance and thanked victims for their participations in the convention’s processes. He emphasised that the widespread condemnation following recent allegations of cluster munition use demonstrated the success of states’ efforts to stigmatize the weapon.

Referring to the Convention as a “strong and maturing instrument of International Humanitarian Law”, the Vice-President of the International Committee of the Red Cross Christine Beerli called on states to adopt national implementation measures consistent with the letter and object of the convention.

Speaking on behalf of UNDP Administrator Helen Clark, Neil Buhne said the Convention was instrumental in fostering development and prosperity in post-conflict communities.

Cluster Munition Coalition spokesperson Branslav Kapetanovic assured the CMC would work harder than ever, for as long as it takes, to promote the full universalization and implementation of the convention.

Foreign Minister Mansour hailed the progress already made on the implementation of the Vientiane Action Plan, and the plenary then proceeded to the election of Ambassador Steffen Kongstad of Norway as President of the 3MSP.

Ambassador Kongstad announced that Norway’s objective as President would be to prevent future harm from cluster munitions through the full implementation and universalization of the convention, as well as the upholding of the ban norm.
General Exchange of Views

Thirty-seven states and three additional delegations took the floor during the session. This included the four states with the heaviest contamination as well as seven non-signatories.

Angela Kane, UN High Representative for Disarmament Affairs, delivered a statement on behalf of the UN Secretary-General, emphasizing that the convention demonstrates the growing recognition that the protection of civilians must be paramount. The statement also called on states to stop using explosive weapons in densely populated areas and called for specific discussion on this issue.

Austria emphasised that the expertise and collaboration of survivors should be sought when implementing the convention. It also said that there are no exceptions to the ban on assistance, including during joint military operations. Bosnia and Herzegovina stated its commitment to complete clearance by 2015 or 2016 if sufficient resources are available. Chile reiterated the goal of making Latin America the first cluster munition-free region. Colombia said its ratification bill had reached the third of four steps within congress, and emphasized the importance of south-south and triangular cooperation. Czech Republic outlined the penal sanctions that apply at the national level for violations of the convention, and said that it retains submunitions for permitted purposes but without any delivery means. Denmark reiterated that stockpile destruction would be completed in 2013.

Germany reiterated its hope to complete stockpile destruction by 2015. Ghana explained it is reviewing its national laws in order to align them with the convention. Grenada announced that after making all reasonable efforts to identify contaminated areas with help from Norwegian People’s Aid, it did not have any contamination to report under Article 4. The Holy See said the same good faith as the one displayed during the Dublin negotiations should guide the domestic implementation of the convention.

Italy indicated that its ratification law earmarked funds for stockpile destruction, which will be completed “well in advance” of the deadline. Italy also stated its intention to retain “a very limited number” of cluster munitions for permitted purposes. Indonesia stressed the contribution of the convention to international humanitarian law. Iraq said its ratification process was underway and spoke about ongoing efforts to get a clearer picture of contamination and to retrieve data on previous clearance efforts. Ireland said progress made so far clearly demonstrates that the problem can indeed be addressed, and reported contributing 2.5 million Euros to clearance in 2012. Jamaica expressed hope to ratify “in the very near future” and confirmed that it does not possess cluster munitions. Japan reported contributing over 10 million USD for clearance of ERW including cluster munition remnants in 2009-2012.

Lao PDR said that in 2011 it had raised 20 million USD from public sources and 10 million USD from the private sector to support UXO activities in the country. Lao PDR informed potential donors that in 2012, it could “responsibly utilize an additional 20 million USD for a total annual budget of 50 million USD.” Lebanon expressed satisfaction that states are using the convention as a platform for cooperation and assistance, and invited states in need to share detailed information on their resource gaps.

Mauritania called for the creation of an ad hoc fund for clearance and victim assistance. Mozambique said the Convention on Cluster Munitions is the best framework to stop proliferation of the weapon.
**New Zealand** stressed that “cluster munitions have no place in today’s world and in our contemporary understanding of international humanitarian law.” It called on states to put in place the necessary national implementation measures to give full effect to the convention. It noted that the development of the Mine Ban Treaty and Convention on Cluster Munitions outside the traditional UN forum demonstrated that alternative channels could indeed be used to develop international humanitarian law.

**Norway** urged states not to bypass the prohibitions of Article 1 through creative interpretation of other articles, and emphasized each state’s individual responsibility to ensure its national implementation measures comply fully with the convention. **Peru** said its instrument of ratification was ready to be deposited with the UN at the end of September. **Portugal** pledged to continue its universalization efforts.

**Samoa** confirmed it has never used, produced or stockpiled cluster munitions, and said that its Cluster Munition Prohibition Act that entered into force in April 2012 includes penal sanctions for prohibited activities. **Spain** called on states to improve communication in the area of cooperation and assistance and to optimize use of existing resources. **Sweden** noted its national law would enter into force at the same time as the convention on 1 October 2012, and stated that stockpile destruction is underway and will be completed well within the deadline. **Switzerland** said that as a new State Party, it was committed to contribute to the universalization of the convention as planned in its 2012-2015 mine action strategy.

The **United Kingdom** said the growing stigma against cluster munitions was not an alternative to bringing all states on board the convention. It recommended enhanced coordination among states engaged in universalization outreach, and confirmed it is on track to completing stockpile destruction five years ahead of its deadline. **Zambia** offered to host the Fourth Meeting of States Parties in September 2013, stressed its intention to promote universalization of the convention in Africa, and indicated that it would accelerate the adoption of national implementation measures.

Seven non-signatories took the floor. **Armenia** confirmed that it does not use, produce, stockpile or export cluster munitions and that it does not intend to do so. It expressed hope that South Caucasus states could at some point join the convention simultaneously. **Cambodia** reported on clearance and victim assistance efforts but said it is still studying the impact that joining the convention would have on its national defense. **Gabon** said it would accede “soon” and confirmed that it does not possess cluster munitions and that it monitors its border to detect and deter cluster munition transfers. **Jordan** expressed hope that it could join the convention at some point in the “not too distant” future. **Malaysia** said it is consulting with stakeholders with a view to study accession. **Morocco** reiterated that it cannot join the convention due to its security situation but that it abides by the convention’s principles. **Vietnam** said it would develop a clearance plan with a timeline once Norwegian People’s Aid is done with the nationwide survey. It confirmed that it does not use, produce or stockpile cluster munitions and that it does not encourage use. It said it stands ready to share its expertise with other affected states, and expressed hope to accede to the convention “in due course”.

The **European Union** stated its willingness to provide assistance with Vientiane Action Plan implementation when feasible. The **UN Inter-Agency Coordination Group on Mine Action** reiterated its support for the convention and highlighted the importance of a gender-sensitive approach.
Reactions to allegations or incidents of use

Lebanon, Mozambique, Norway, the United Kingdom, the European Union and the CMC expressed concerns with recent allegations of use of cluster munitions. Germany underlined that recent instances of use make it clear there is a long way to go on universalization of the convention, and Switzerland said incidents in Libya and Syria remind us of the need to further universalize the convention.

Interventions on national implementation measures

Austria, New Zealand, Norway, the ICRC and the CMC called on States Parties to adopt national implementation measures thoroughly consistent with the convention. Zambia further noted that good national implementation measures enhance the credibility of the convention.

Universalization announcements or updates

Universalization announcements or updates are listed above. A full round-up will be included in the summary covering the universalization session.

Mentions of the CMC or civil society

Austria, Chile, Colombia, Italy, Lebanon, Morocco, New Zealand, Norway, the United Kingdom as well as the UN Inter-Agency Coordination Group on Mine Action hailed the enduring partnership between states, civil society and other organizations in creating, universalizing, implementing and monitoring the convention. Foreign Minister Store complimented the CMC for its substantive and knowledgeable engagement on the convention. Foreign Minister Mansour said the partnership with civil society was “highly productive” and Lebanon thanked the CMC for its contribution to the Oslo Progress Report. Helen Clark’s statement referred to Cluster Munition Monitor data. Norway further mentioned the effective campaigning on disinvestment.