

Statement on Compliance
Sixth Meeting of States Parties of the Convention on Cluster Munitions
Geneva, 5 September 2016



Thank you Mr. President,

Some may view compliance with a heavy heart due to the challenges it can involve, but we see compliance under this convention as a cooperative and essential process. All actors involved in supporting this convention can work to assist States Parties to ensure full implementation as part of our collective effort to achieve the goal of ending the human suffering caused by cluster munitions.

States Parties are clearly taking their implementation of the Convention on Cluster Munitions seriously as they destroy stocks and work to clear remnants, but continued vigilance and progress is necessary to ensure the convention's excellent compliance record remains untarnished.

All States Parties with stockpiles to destroy by the convention's first stockpile destruction deadline of 1 August 2018 have completed their destruction now with the exceptions of Croatia and Spain. We urge States Parties with stocks to destroy to communicate their progress and challenges with this core obligation.

According to the Cluster Munition Monitor report, there have been no confirmed reports or allegations of new use, production, transfers, or acquisitions of cluster munitions by any State Party to the convention since it entered into force in August 2010.

Signatory Kenya, however, denied an allegation that it used cluster munitions in Somalia in January 2016. We appreciated the UN investigation into the alleged attack and the report that it presented to the Security Council on 9 May. We understand that it is not possible on the basis of the available evidence to confirm this allegation of cluster munition use or to identify the responsible party. As a matter of goodwill to demonstrate its commitment to the Convention on Cluster Munitions we urge Kenya to complete its ratification without any further delays.

Since the First Review Conference in September 2015, cluster munitions have been used in Syria and Yemen. Syrian government forces have used cluster munitions hundreds of times since July 2012, but the number of cluster munition attacks has increased since Russia began its joint operation with Syrian government forces on opposition-held areas of the country on 30 September 2015. In Yemen, there were at least 19 documented cluster munition attacks between April 2015 and February 2016 by Saudi Arabia and the coalition of states that it is leading in a military operation against Houthi forces, also known as Ansar Allah.

In addition, Azerbaijan and Armenia have both accused the other side of using cluster munitions against civilians in the brief conflict over the disputed territory of Nagorno-Karabakh in April 2016. Both sides denied using the weapon.

None of these countries have joined the convention but that does not mean we can meet such use with silence. Indeed, States Parties agreed to the Dubrovnik Declaration last September, which affirms: "We condemn any use of cluster munitions by any actor."

We are outraged by the civilian harm being caused by the near-daily cluster munition attacks in Syria as the conflict rages. The best way to stop this carnage is by stigmatizing the use of cluster munitions and by pressing those who use these notoriously indiscriminate weapons to stop the attacks. There is also increased attention on companies which produce these weapons both from public demonstrations and from the campaigning work on divestment both of which add to the stigma on cluster munitions.

The success of this convention will be seen its impact in reducing the human suffering caused by cluster munitions. This requires that States Parties do their utmost to implement all of the convention's provisions, particularly stockpile destruction, clearance, and victim assistance.

Compliance also extends to all aspects of the convention's provisions. This includes the transparency reporting obligation, where the CMC has pointed to the need for better compliance. In addition, States Parties must ensure that appropriate legislative measures are undertaken to enforce the convention's provisions domestically.

Finally, successful compliance requires that we all—States Parties, United Nations agencies, the International Committee of the Red Cross, and our coalition of NGOs—continue to work together to identify and address compliance concerns as they arise. It's the least we can do for the victims of cluster munitions.

Thank you.