

Statement on Compliance
First Review Conference of the Convention on Cluster Munitions
Dubrovnik, 10 September 2015



Thank you Mr. President

Throughout the past five years, States Parties' compliance with the Convention on Cluster Munitions has been admirable. As we have elaborated in other sessions, compliance with stockpile destruction requirements has been especially impressive, and compliance with transparency, clearance, and victim assistance obligations has also been good. There has been no evidence of use of cluster munitions by any of the States Parties or signatories since the Convention was adopted.

However, since the last Meeting of States Parties in September of 2014, cluster munitions have been used in Libya, Sudan, Syria, Ukraine and Yemen, including by Saudi Arabia in Yemen. Given the grave consequences of cluster munition use for civilians, the serious harm that gave rise to this Convention, any such use, anywhere and by anyone, is completely unacceptable. The stigmatization of such use is a central goal of this Convention and something that still requires our collective efforts just five years since this Convention entered into force.

Cluster Munition Coalition members, including Human Rights Watch and local groups in Libya, Sudan, Syria, Ukraine, and Yemen, along with local media, have collected substantial evidence confirming use of cluster munitions over the last year. We invited our coalition members based in some of those countries to address this conference. However, the risks these people face on a daily basis make such public denouncement impossible for them. When declining the speaking invitation, they underscored that they remain committed to collecting evidence of use, despite working under difficult and dangerous circumstances, and that they rely on us, the international community, to make use of this information in every way we can. We must all do our part to support their efforts to end the use of this inhumane weapon.

Civilians are being killed or injured during attacks and from cluster munition remnants. Just over a week ago, we received detailed information of dozens of civilian casualties from cluster munition strikes in Yemen between April and July of this year—attacks on villages that have hit homes, shops and agricultural areas, killed many, including children, and forced many to flee their homes. Earlier this year, cluster munition attacks in Ukraine also hit residential areas, injured dozens of civilians and killed many others including a woman and a boy who were playing with friends at a playground near a school in Artemivsk. The Cluster Munition Monitor

released updated figures last week of the thousands of civilian casualties from the ongoing use in Syria.

This detailed evidence has been made available to States Parties over the past year, including through a dossier distributed at the Intersessional meetings in June and the *Cluster Munition Monitor 2015*, released last week. We applaud the states that have spoken out over the last months since the last meeting of States Parties, including the 25 states and the European Union who condemned recent use at the Intersessional meetings and the Second Preparatory Meeting for this Review Conference. We also thank all of you who have taken the floor today to add your voice so that this conference can send a clear message reinforcing the strength of the emerging norm against any use of cluster munitions.

Already it is clear that our work—the work of states, the ICRC, UN agencies, and the Cluster Munition Coalition -- has stigmatized use. Government actors were responsible for most of the recent instances of use, while non-state actors have used cluster munitions in Syria and perhaps elsewhere. Most states involved have denied this use, even in the face of compelling evidence to the contrary. This demonstrates the even users of cluster munitions recognize that this is not accepted by the international community.

Important progress has been made in the first five years of this Convention, but we still have work to do to universalize the Convention, as the best response to new use is to reinforce and embrace international law. The ambitious Action Plan that will emerge from this conference rightfully places great priority on actions to condemn use and we look forward to all States Parties and signatories taking every opportunity to speak out and strongly condemn the use of cluster munitions, wherever it may occur. It is an obligation of the treaty and it is the best way to ensure that instances of use dwindle to nothing and civilians are protected from these indiscriminate weapons.