



**Statement by H.E. Dell Higgle
Ambassador for Disarmament**

**Convention on Cluster Munitions
7th Meeting of States Parties**

Universalisation

4 September 2017

Thank you Mr President,

Please allow me at the outset to congratulate you, Ambassador Biontino, for the commitment which you and Germany have shown in your leadership of our Convention over the last year. Your Presidency has built on the excellent work of the previous President, the Netherlands, and has endeavoured to accelerate progress towards the objectives we set in the Dubrovnik Action Plan and the 2016 Political Declaration. We welcome, too, the efforts of our co-coordinators France and Zambia, in promoting universalisation of our Convention over the past year.

New Zealand congratulates Madagascar and Benin for becoming the newest States Parties to our Convention. We are pleased that support for the Convention continues to grow in Africa and we look forward to further ratifications from the region – and further afield – in the coming months. It is clear, however, that the rate of ratifications is slowing and that we have much work ahead of us if we are to achieve our goal of 130 States Parties by 2020.

Mr President,

New Zealand will continue to work hard to promote our Convention, with a particular focus on our own region, the Pacific, and on Africa. First with regard to Africa, in May this year New Zealand and Switzerland funded a ratification seminar which was held in Kampala, Uganda. As regards the

Pacific, we organised a session dedicated to promoting the CCM as part of a workshop primarily focused on the Arms Trade Treaty which we sponsored in September 2016 in Apia, Samoa. At the session devoted to the CCM, we highlighted the tools that are available to assist with ratification and implementation and encouraged our regional partners to make use of them. Palau, which was at that time the Convention's newest State Party, gave a very useful presentation there on its motivation and experience of ratification.

New Zealand has continued to follow up with States in the region, including Vanuatu, with a view to achieving additional ratifications from the Pacific in the future.

Looking ahead, we are pleased to inform all colleagues here that New Zealand is planning a Pacific Conference to be held in Auckland, New Zealand in February 2018. Working with our close friend and neighbour, Australia, we hope to bring together representatives from all Pacific Islands with a view to improving universalisation and implementation of a number of conventional weapon-related treaties in the region. The Conference will have a strong focus on the Arms Trade Treaty, but it will also certainly give considerable profile to the Convention on Cluster Munitions and the humanitarian imperative of broadening its membership. We look forward to updating colleagues as our plans develop and to working with those who wish to support our efforts.

The pursuit of universalisation and full implementation of our Convention remains urgent. As we pursue additional ratifications of the CCM, so too must we make every effort to strengthen the norm against cluster munitions.

New Zealand continues to unreservedly condemn any and all instances of the use of cluster munitions, including their use in Syria and Yemen. In this regard, we highlight the Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, which was considered at the 34th session of the Human Rights Council earlier this year. That report confirmed that Syrian or Russian aircraft, or both, participated in incidents using cluster munitions in Syria. The report noted that some of the cluster bomb munitions observed in Aleppo dispersed more than 500

submunitions, with the result that the city is now contaminated with significant quantities of unexploded ordinance.

We are grateful for the significant efforts which current and past Presidents have taken to promote the norms of our Convention and to condemn usage of cluster munitions. In following up now on this issue, you, Mr President, have asked us to consider the question: "what level of certainty regarding available evidence on use of cluster munitions would States require to speak out against all use, production and/or transfer of cluster munitions?" This is an important question, and one which I know that many of us, including in the Coordination Committee, have struggled with in the past.

It is clear that confirmed cases of cluster munition use should be condemned by States Parties to the CCM and by all who support its humanitarian objectives, and that all allegations of use should be thoroughly investigated.

We recognise, however, that for many States Parties, including New Zealand, it may be very difficult, if not impossible, to independently investigate and verify allegations of use in a conclusive and timely manner, and that States vary in their view of what qualifies as "confirmed use". In this regard, many States Parties, including New Zealand, rely heavily on reports from our civil society partners including the Cluster Munition Coalition and Human Rights Watch, and on confirmation from UN and other similar authorities.

We consider, however, that more could be done to respond to both confirmed and alleged cases of cluster munition use. From our perspective, there is value in considering the opportunities for collective responses, including, for example, requests for clarification following allegations of use and condemnation of any use confirmed by the UN or other agreed sources. New Zealand looks forward to hearing the views of other partners on this important issue, and to working together over the forthcoming cycle to further strengthen the stigma against cluster munition use.

Mr President,

New Zealand would like to place on record our appreciation for the work of the Cluster Munition Coalition. We continue to value its deep expertise, commitment and focus. We are particularly grateful for the CMC's production of the latest Cluster Munition Monitor, which we know will prove to be another invaluable tool in advancing efforts to rid the world of these inhumane weapons.

Could I highlight, at this point, New Zealand's deep concern that – as noted in this latest edition of the Monitor – the number of victims from the usage of cluster munitions increased during 2016. We must never lose sight of the fact that these are not just *any* statistics: each number represents a human life – killed or injured. Such numbers give renewed urgency to our task ahead here – and to the need to implement and universalise our Convention.

In this regard, my Delegation would like to particularly welcome the outreach which the German Presidency has recently conducted with all major producers, and holders of stocks, of cluster munitions. We regard this as a very valuable and constructive initiative.

The last three questions outlined in the paper circulated this morning outlining this initiative (notably, is there a possibility of the non-Party contributing to the main humanitarian objective of the Convention; are there possible intermediate steps for the non-Party toward compliance or even future accession; and would the non-Party be interested in maintaining a regular and more formal dialogue with the CCM?), all of which the German Presidency posed in its meetings with the 17 non-Parties to the CCM, are especially insightful. They seek to identify a constructive bridge for engagement with important non-Parties and to elicit a more positive stance on their part toward our Convention and the fulfilment of its humanitarian objectives.

New Zealand strongly hopes that this outreach, and the six steps outlined in Germany's paper, can be continued and advanced in coming years.

Thank you, Mr President.