

**Statement on National Implementation Measures**  
**8<sup>th</sup> Meeting of States Parties to the Convention on Cluster Munitions**  
**3-5 September 2018**



Thank you,

Adopting national implementation measures matters. It is one of the keys to ensure the provisions of the Convention are enforced and that its humanitarian objectives become a reality.

There is no unique form these measures should take, although national legislation is the strongest means of implementation. What is important is that all States Parties adopt national measures to implement the Convention's positive obligations and to penalize violations of the Convention. Those measures should include a provision outlawing assistance with prohibited activities during joint military operations with states not party. They should prohibit investment in cluster munition producers, as well as transit of cluster munitions on their territory and the stockpiling of cluster munitions belonging to another state.

It has been 10 years since the Convention was adopted, and the number of domestic implementation laws has grown, but it remains insufficient.

As we meet today, a total of thirty States Parties have adopted national laws to implement the Convention. A further twenty countries are still in the process of adopting implementation legislation. For many of them, it has been the case for many years now.

Forty-three states have indicated that their existing frameworks were sufficient to implement the convention. The status of national implementation measures remains unclear or unknown for a dozen of countries. Put differently, it means that more than one quarter of States Parties have yet to implement their Article 9 obligations. Even more disturbing is that no new implementation legislation has been enacted in nearly two years. The CMC urges all states to ensure they have national implementation measures.

Much work remains to be done if we want to reach the objective set out in the Dubrovnik Action Plan of having all States Parties in full compliance with Article 9 by the next Review Conference. But this can be done if the determination is there.

Various tools are available to assist States Parties, including the ICRC model legislation; the simplified model legislation developed by New Zealand; the model legislation by and for African states; and the study on key components of strong legislation by the Harvard Law School International Human Rights Clinic and Human Rights Watch. All these resources provide the guidance and technical elements to be included in national implementation measures.

The CMC, along with the ISU, the coordinators for national implementation measures, and other partners, stands ready to assist with the preparation and adoption of domestic legislation and we hope tangible progress will soon be made regarding this issue.

Thank you.