

The Cluster Munition Coalition is led by a Steering Committee of:

Human Rights Watch, Landmine Action and Norwegian People's Aid (Co-Chairs), DanChurchAid, Handicap International, International Campaign to Ban Landmines, IPPNW Russia, Landmine Resource Centre (Lebanon), Mines Action Canada, Pax Christi, Protection (Egypt).



CMC principles for a treaty on cluster munitions

The CMC considers that any treaty on cluster munitions must include:

1. A prohibition on the use, production, transfer and stockpiling of cluster munitions, as defined;
2. A definition of cluster munitions that does not exclude those that have submunitions equipped with self-destruct mechanisms;
3. No provision allowing for cluster munitions with submunitions with a certain reliability standard;
4. Application in all circumstances, including during conflicts of an international and non-international nature;
5. A prohibition on providing assistance to anyone to use, produce, transfer or stockpile cluster munitions;¹
6. An obligation to destroy their stockpiles of cluster munitions within a specified period of time, which must be as short as possible;
7. An obligation to mark and fence contaminated areas as soon as possible, to clear contaminated areas as soon as possible, but no later than a specified deadline and to establish and maintain an effective capacity to undertake these actions;
8. An obligation to provide assistance with marking, fencing and other warnings, risk education, and clearance; users of cluster munitions should have special obligations for such assistance, including provision of timely and detailed information on use;
9. An obligation to provide victim assistance. This includes but is not limited to: the implementation of data collection, emergency and continuing medical care, physical rehabilitation, psychological support and social inclusion, economic inclusion and/or reintegration, legal support and disability laws and policies;
10. An obligation to promote, protect, ensure and report on the full and equal enjoyment of all human rights and fundamental freedoms by all cluster munition victims (affected individuals, their families and communities), and to promote respect for their inherent dignity;
11. An acknowledgement of the responsibility to protect civilians from cluster munitions at all times through the obligations contained in the new treaty;
12. A compliance provision committing states to provide maximum cooperation and transparency;
13. An obligation to submit annual transparency reports;²
14. A requirement to adopt national implementation measures, including penal sanctions;
15. A provision prohibiting any reservations to any articles of the treaty;
16. A provision prohibiting withdrawal from the treaty if engaged in armed conflict;
17. Provisions for annual meetings of States Parties and regular Review Conferences;
18. No provision for a transition period on the prohibition on use, production and transfer;
19. No geographic exceptions for the prohibition on use, production and transfer.

NB: The CMC recognises that states may propose a treaty approach that excludes from a definition of cluster munitions certain weapon systems that have submunitions that are capable of identifying and engaging targets. The CMC believes that the burden must be on governments to demonstrate that such weapons do not cause unacceptable harm to civilians.

¹ "Assistance" should be understood to include, among other things, a prohibition on investments, on involvement in joint military activities in which cluster munitions may be used, and on transit of cluster munitions.

² The reports should include, for example, information on national implementation measures, stockpiles and stockpile destruction, contaminated areas and clearance activities, risk education activities, victim assistance activities, and victims' rights.