



Ban the “M85” cluster bomb: fact-sheet

On 20 March 2007 the UK announced that it was withdrawing from service some of its cluster bombs.¹ However, the UK is keeping its M85 cluster bombs, claiming that because these weapons have a built in ‘self-destruct’ system they do not pose a serious threat to civilians. This claim is false. While the UK keeps these cluster bombs its stated commitment to a ban “on cluster munitions that cause unacceptable harm to civilians” cannot be taken seriously.

The UK uses an artillery shell containing 49 of the individual M85 submunitions to scatter explosives and fragments over the target area. This particular submunition is designed and produced by Israeli Military Industries (IMI).

Indiscriminate attacks

The UK used 2,100 artillery shells, containing 102,900 M85 submunitions in Iraq in 2003 causing dozens of civilian casualties during the attacks.²

Regardless of claims about the self-destruct mechanism, these weapons scatter explosive grenades over the target causing indiscriminate death and injury within the affected area. Attacks with such weapons almost always cause indiscriminate harm if used near to civilian populations.

Long term suffering

These same cluster bombs were amongst those used by Israel in Lebanon in 2006 leaving schools, houses, hospitals and farmland contaminated with lethal unexploded ‘bomblets.’

Despite the claims of manufacturers that these weapons are safe for civilians, evidence from use in combat says otherwise.

The manufacturers, Israeli Military Industries (IMI), claim that the failure rate for its M85 submunition is 0.06%:

Our testing suggests that the M85 cluster device has a hazardous dud rate of 0.06%.....Our M85 devices are the most environmentally friendly in the world because they leave no environmentally hazardous duds’

However these submunitions, despite their self destruct mechanisms, were seen to have failed in large number in Lebanon last year. A report from the UN team coordinating the clear-up of unexploded bombs said:

We can categorically state that we are finding large numbers of unexploded M85 submunitions that have failed to detonate as designed and failed to self

¹ The UK withdrew from service in March two types of cluster munitions containing 28 million submunitions in total: the MLRS (Multiple Launched Rocket System) M26 and the air dropped RBL755. Both of these types were anyway at the end of their serviceable lifespan.

² See Human Rights Watch (2003), *Off Target: The Conduct of the War and Civilian Casualties in Iraq*, p.90.

destruct afterwards. In effect these submunitions are more dangerous than other types because the self destruct mechanism makes them more problematic to deal with.

Likewise, in Iraq Human Rights Watch “found evidence of duds in multiple areas of Basra” caused by the UK’s use of M85 cluster bombs. They described the submunitions as “littering” some neighbourhoods.³

As well as causing casualties, research in Lebanon has highlighted how such lethal contamination can block access to water sources, schools, houses and farmland – making rapid post-conflict recovery efforts even more difficult and dangerous.

The UK must outlaw the M85

In the statement announcing the UK’s decision to withdraw the BL755 and the M26 cluster munitions the Secretary of State for Defence, Des Browne stated:

The types of cluster munitions that we intend to retain are legitimate weapons with significant military value, which as a result of mitigating features, is not outweighed by humanitarian factors.

However the UK has been unable to back this up with evidence. Over the last four years there have been varying statements regarding the failure rate of this particular submunition:

- June 2003: Adam Ingram (The Minister of State for Armed Forces) stated that it has a proven maximum failure rate of 2%
- March 2005: the UK stated in the Convention on Conventional Weapons (CCW) that the M85 failure rate “is less than 1%”
- November 2006: Adam Ingram stated that the M85 had a 95% “success rate.”
- May 2007: in a debate on cluster munitions in the House of Lords, Lord Triesman stated that the estimated failure rate was 2.3%

Despite these numbers going up and down, the UK has undertaken no analysis of the actual performance of these munitions in operations and does not know what the likely failure rate of these munitions would be in combat. So these numbers are meaningless anyway.

Where they have been used, the same problems of post-conflict contamination have been found.

Landmine Action and the Cluster Munition Coalition believe that the new treaty must include those submunitions that contain self destruct mechanisms:

- Self-destruct mechanisms do not provide an answer to the humanitarian problems caused by the wider area effect of these weapons.
- When used in combat these mechanisms have not worked, producing the same problems of widespread and lethal contamination.

³ See Human Rights Watch (2003), *Off Target: The Conduct of the War and Civilian Casualties in Iraq*, p.112.

Background facts:



An unexploded M85 submunition in Lebanon

The M85 is a variant of the Dual Purpose Improved Conventional Munition (DPICM). DPICMs have both anti-armour and anti-personnel capabilities. The shaped charge contained in the submunition produces the anti-armour effect, turning into a molten slug of metal that is capable of penetrating 105mm of armour upon detonation. The pre-scored fragmentation casing causes the anti-personnel effect, splitting into 1,200 tiny pieces upon detonation.

Each submunition has a ribbon attached to one end which uncoils on release from the container. The ribbon causes the submunition to rotate, stabilising it in flight and also arming its fuze ready for detonation upon impact with the target/ground. However if the submunition fails to detonate, these ribbons cause problems in the post conflict period. In Lebanon, where these weapons were used in civilian and agricultural areas, the ribbons were found caught up in trees and fences. This makes them more difficult for clearance teams to clear and also makes them attractive to children.

How the self destruct mechanism is supposed to work

- The self destruct mechanism is ignited while the submunition is still in the air;
- It will burn for approximately 14 seconds, which is longer than it takes for the submunition to reach the ground;
- If the submunition's main charge does not detonate on impact with the target/ground the self destruct fuze is supposed to set off the main charge instead - thus detonating the submunition.

However just as the main charge does not always work properly the same is true of the self destruct mechanism:

- The self destruct mechanism is linked to the arming mechanism. If the submunition does not arm in the first instance, the self destruct mechanism will not be triggered either - leaving the lethal explosive to be accidentally detonated in the future.

DPICM with self destruct mechanisms are produced or stockpiled by the following countries:

Argentina, Denmark, Finland, France, Germany, Greece, India, Israel, Italy, Japan, South Korea, Poland, Romania, Singapore, South Africa, Switzerland, UK and USA.

Austria and Norway - have stockpiles but have a moratorium on the use of these weapons.