JOINING THE
CONVENTION ON
CLUSTER
MUNITIONS

A CHANCE
TO SAVE
CIVILIAN LIVES
WHY SIGN THE CONVENTION?

For more than 40 years cluster munitions have killed and injured civilians. In addition to these deaths and injuries, cluster munition remnants obstruct economic and social development and impede post-conflict rehabilitation and reconstruction. The Convention on Cluster Munitions will have a dramatic impact on the number of casualties and the suffering caused by cluster munitions. It will protect civilians in time of war, reduce the long term consequences of cluster munition remnants in affected areas, and prevent future contamination.

The Convention on Cluster Munitions prohibits the use, production, stockpiling and transfer of these weapons. It requires affected countries to protect the security and rights of their citizens by clearing unexploded cluster munition remnants and assisting the victims of cluster munitions. In addition, the Convention requires all countries to cooperate and provide assistance in solving the problems caused by cluster munitions.

In practical terms the treaty will:

• Prevent cluster munitions from being used;
• Provide a global framework to monitor and assist with the clearance of cluster munition remnants, victim assistance and stockpile destruction;
• Ensure adequate resources are mobilized for these efforts.
HOW DOES A COUNTRY SIGN - AND WHAT HAPPENS NEXT?

The Convention will open for signature with a signing ceremony in Oslo on the 3rd December 2008. Subsequently, the Convention can be signed at the United Nations Headquarters in New York until its entry into force.

Any State can sign the Convention, regardless of whether they were part of the “Oslo Process” that drafted it. To sign the treaty, officials must have a document giving them full powers to act on behalf of their State. Details of the formal requirements for signing can be found on the website of the Oslo Signing Conference (www.osloccm.no) and further enquiries about the signing process can also be made to the UN Treaty Section (tel: +1-212-963-5047.)

Signing the treaty does not in itself make the Convention legally binding on that State. For this, signature needs to be followed up with domestic “ratification”. Materials to assist with ratification, such as draft legal instruments, will be made available by the International Committee of the Red Cross (ICRC): www.icrc.org

The treaty will enter into force six months after the 30th country has deposited its ratification instrument with the Secretary-General of the United Nations in New York.
WHAT DOES THE TREATY OFFER... AND WHAT DOES IT DEMAND?

For states that do not have cluster munition stockpiles and are not contaminated by cluster munitions remnants, the main practical obligation is to assist other states in implementing the Convention.

The following questions are key to quickly assessing the practical requirements of the Convention:

**Does our country have cluster munitions in military stockpiles?**
If YES, there is an obligation to ensure that these stockpiles are destroyed as soon as possible, and in a safe and environmentally considerate way. The deadline for stockpile destruction is eight years from entry into force of the treaty.

**Have cluster munitions been used in our country?**
If YES, there is an obligation to ensure that contaminated areas are identified and any cluster munition remnants in these areas are cleared as soon as possible. The deadline for this clearance is 10 years from entry into force.
For countries where the answer is NO to both of these questions, there are still important obligations to fulfill:

**ALL COUNTRIES** have an obligation to provide assistance to their citizens that are victims of cluster munitions and to their affected families and communities. This includes appointing a focal point for victim assistance and gathering data on cluster munition victims.

**ALL COUNTRIES** that are in a position to do so, have an obligation to provide technical, material and financial support so that other States Parties can meet their treaty obligations.

Landmine Action clearance team in Western Sahara searching for unexploded ordnance.
WHAT DIFFERENCE WILL IT MAKE?

Signing, ratifying and implementing the Convention on Cluster Munitions will make these weapons a thing of the past. As well as calling a halt to the suffering caused by cluster munitions both during and after attacks, the treaty sets new benchmarks for victim assistance and post-conflict clearance.

The Convention on Cluster Munitions formalizes and strengthens the stigma that already surrounds these weapons. Even States that do not sign the Convention at first will have their military practices influenced by its provisions.

Endrit Rexhaj (Photo overleaf) was two years old when he was injured during a cluster munition strike in Kosovo in 1999. The family had fled their home and were seeking refuge in a nearby village when the strike took place. Endrit’s mother tried to shelter him from the explosion, but his right arm was severed by the shrapnel and had to be amputated. Many other family members, including Endrit’s mother, also suffered injuries from the fragmentation.
Endrit and Labinot Rexhaj. Endrit lost his right arm to a cluster munition in 1999.
SUGGESTED FURTHER ACTIONS

Once a country has signed the treaty there are a number of actions to take that are essential in ensuring the treaty becomes an effective and successful piece of international law.

1. Ratify the Convention
Put in place national legislation to ratify the Convention and make it binding under domestic law. This is a vital step to make the Convention a binding international legal instrument.

2. Confirm status of any national stockpiles
If cluster munitions are stockpiled, they should, as soon as possible, be separated from other stocks of munitions. In addition, a plan must be developed for the safe destruction of the cluster munitions. Technical and financial assistance may be requested to plan and implement the destruction of stockpiled cluster munitions.

3. Confirm status of any contamination with cluster munition remnants
If cluster munitions have been used on the territory then an assessment should be made of whether any cluster munition remnants remain, and if so where and to what extent. This assessment should be the first step in planning the destruction of all cluster munition remnants on
the territory. Technical and financial assistance may be requested to develop and implement a plan for the destruction of all cluster munition remnants.

4. **Designate a focal point within the Government to assess needs and plan implementation of victim assistance.** All countries should designate a focal point for victim assistance – even if they do not believe there are any cluster munition victims under their jurisdiction. This focal point should coordinate an assessment of the current needs of cluster munition victims. This assessment should feed into a plan to provide age- and gender-sensitive assistance to victims (including medical care, rehabilitation, psychological support and measures to ensure social and economic inclusion.)

5. **Assess what technical, material and financial assistance it may be possible to provide to other States Parties affected by cluster munitions.** All states in a position to do so must provide help to States Parties affected by cluster munitions in order for them to meet their obligations under the Convention. States should assess their capacity to provide additional assistance to the specific needs of other States Parties.
Sources of further information:
The Government of Norway, Ministry of Foreign Affairs
www.osloccm.no

United Nations Development Programme (UNDP)
Bureau for Crisis Prevention and Recovery
www.undp.org/cpr/

International Committee of the Red Cross (ICRC)
www.icrc.org

Cluster Munition Coalition (CMC)
www.stopclustermunitions.org

Landmine Action
www.landmineaction.org

STOP THE USE.
DESTROY THE STOCKPILES.
CLEAR THE REMNANTS.
ASSIST THE VICTIMS
SIGN THE TREATY