

MAJOR FINDINGS

AS OF 1 AUGUST 2018

STATUS OF THE 2008 CONVENTION ON CLUSTER MUNITIONS

- A total of 120 countries have signed or acceded to the Convention on Cluster Munitions, of which 103 are States Parties legally bound by all of the convention's provisions. The convention, which entered into force on 1 August 2010, is the sole international instrument dedicated to ending the human suffering caused by cluster munitions.
- Sri Lanka acceded to the convention in March 2018. None of the convention's remaining 17 signatory states have ratified in the period since July 2017. A total of 142 states, including 32 non-signatories to the Convention on Cluster Munitions, voted in favor of an annual United Nations General Assembly resolution promoting the convention in December 2017. Non-signatories Russia and Zimbabwe voted no to the resolution for the third consecutive year.
- The Seventh Meeting of States Parties to the Convention on Cluster Munitions in Geneva in September 2017 adopted a final report condemning "any use of cluster munitions by any actor."

NEW USE

- There have been no reports or allegations of new use of cluster munitions by any State Party since the Convention on Cluster Munitions was adopted in May 2008.
- Since 1 July 2017, cluster munitions have been used in Syria by Syrian government forces with Russia's support, and in Yemen by a Saudi Arabia-led coalition of states. The Monitor could not conclusively confirm allegations of new cluster munition use in Egypt and Libya. There was a significant drop in the number of reported cluster munition attacks in Syria and Yemen, but many attacks likely went unrecorded.

CASUALTIES (THROUGH 2017)

- In total, the Monitor recorded 289 new cluster munition casualties in 2017, a sharp decrease compared to an annual total of 971 in 2016.
- In 2017, the highest number of casualties were recorded in Syria (187) and Yemen (54). In each country, casualties occurred both due to cluster munition remnants and during cluster munition *attacks*. However, fewer casualties during attacks were recorded, thereby accounting for the overall annual decrease (196 in 2017, from 857 in 2016).
- The 2017 casualty total marked the lowest annual figure since increased cluster munition casualties from new use in Syria were reported in 2012. From 2012 to 2017, the majority of global casualties were recorded in Syria (77%).
- Civilians accounted for 99% of all casualties whose status was recorded in 2017, consistent with statistics on cluster munition casualties for all time, and due to the indiscriminate and inhumane nature of the weapon.
- In 2017, casualties from cluster munition *remnants* were recorded in eight countries and two other areas: Cambodia, Iraq, Lao PDR, Lebanon, Serbia, Syria, Vietnam, and Yemen, as well as Nagorno-Karabakh and Western Sahara.
- More than 21,614 cluster munition casualties have been documented globally, beginning in the 1960s when the United States conducted cluster munition attacks in Lao PDR and Southeast Asia.
- The countries with the highest recorded numbers of cluster munition casualties for all time are Lao PDR (7,697), Syria (3,081), and Iraq (3,039). Many casualties, however, go unrecorded or lack sufficient documentation, particularly casualties that occurred during extensive use in Asia (Southeast Asia and Afghanistan) and in Iraq. The estimated number of global all-time casualties for 33 countries and three other areas is 56,000 or more.

CONTAMINATION

- As of 1 August 2018, a total of 26 states (12 States Parties to the Convention on Cluster Munitions, two signatories, and 12 non-signatories) and three other areas are contaminated by cluster munition remnants. It is unclear whether one State Party and one non-signatory are contaminated.
- New use increased contamination in Syria and Yemen in 2017.

CLEARANCE

- In 2017, a total of at least 153,000 submunitions were destroyed during land release (survey and clearance operations) and at least 93km² of contaminated land cleared. This estimate is based on incomplete data, but represents a 9% increase in the number of submunitions destroyed and a 6% increase in the land cleared compared to 2016.
- No country completed clearance in 2017.

- Only one State Party, Croatia, appears on track to meet its Article 4 convention-mandated deadline to clear all contaminated areas within 10 years. Four States Parties are not on track, and it is unclear if the remaining States Parties will meet their deadlines.
- Conflict and insecurity in 2017 and 2018 impeded land release efforts in three States Parties (Afghanistan, Iraq, and Somalia), six non-signatories (Libya, South Sudan, Sudan, Syria, Ukraine, and Yemen), and signatory Democratic Republic of the Congo.

STOCKPILE DESTRUCTION

- A collective total of 1.4 million cluster munitions and more than 177 million submunitions has been destroyed by 35 States Parties to the convention. This represents the destruction of 99% of the total global cluster munition stocks declared by States Parties.
- No State Party has failed to meet the convention's eight-year deadline to destroy their stocks. Since July 2017, Croatia, Cuba, Slovenia, and Spain completed destruction of their stockpiled cluster munitions.
- Of the eight States Parties with stocks left to destroy, Switzerland appears closest to completing.
- During 2017, seven States Parties destroyed a total of 33,551 cluster munitions and nearly 1.8 million submunitions. Another five States Parties did not destroy any of their stockpiles in the past year, including several that have indicated financial and technical assistance is needed.

VICTIM ASSISTANCE

- States Parties have committed to improving assistance for cluster munition victims by 2020 as part of the Dubrovnik Action Plan, but continued declines in funding for community-based work of local organizations hampered access to rehabilitation and economic activities.
- Some assistance existed in all affected States Parties, and work to improve the quality and quantity of rehabilitation programs for survivors was reported in several countries. It was also documented that more services, better coordination, and greater integration into national systems remained necessary.
- Most coordination of activities included some survivor representation, but this was not meeting the standard of close consultation with cluster munition victims including survivors required both in the convention itself and in associated rights of persons with disabilities.
- In many States Parties, inadequate resources for survivors' own organizations that deliver most psychological assistance to cluster munition victims reduced the availability of such essential services.

PRODUCTION AND TRANSFER

- Eighteen States Parties and one non-signatory no longer produce cluster munitions.
- Sixteen countries produce cluster munitions or reserve the right to do so. None are party to the convention.

RETENTION

- Most States Parties have formally declared that they are not retaining any cluster munitions for training or research in detection, clearance, and destruction techniques, as permitted by the convention.
- Twelve States Parties are retaining live cluster munitions or submunitions for training and research. All are from Europe with the exception of Cameroon, which is retaining all six of its stockpiled cluster munitions for research and training purposes.
- Germany retains the most cluster munitions for research and training, but significantly lowered the number retained again in 2017, as did Belgium, Czech Republic, Denmark, and Spain.
- Italy destroyed all the cluster munitions and submunitions that it initially retained.

NATIONAL LEGISLATION AND TRANSPARENCY

- Thirty States Parties have enacted national legislation to implement the convention, most recently Cameroon in December 2016. Another 20 States Parties are in the process of drafting, considering, or adopting national legislation for the convention, while 43 States Parties indicate that their existing legislation is sufficient to enforce implementation of the convention.
- A total of 89 States Parties have submitted an initial transparency report as required by the convention, representing 87% of all States Parties for which the obligation currently applies. Another 13 States Parties have not delivered their initial transparency reports.

INTERPRETATION OF THE CONVENTION ON CLUSTER MUNITIONS SINCE ITS ADOPTION

- At least 38 States Parties and signatories to the convention view any intentional or deliberate assistance with activities banned by the convention as prohibited, even during joint military operations with states not party. States Parties Australia, Canada, Japan, and the United Kingdom (UK), however, support the contrary view that the convention's Article 1 prohibition on assistance with prohibited acts may be overridden by the interoperability provisions contained in Article 21.

- At least 35 states agree that both the transit of cluster munitions by a state not party across the territory of a State Party and foreign stockpiling are prohibited by the convention. States Parties Australia, Canada, Japan, the Netherlands, Portugal, Sweden, and the UK have asserted that transit and foreign stockpiling are not prohibited by the convention.
- The United States removed its stockpiled cluster munitions from States Parties Norway and the UK since the adoption of the convention, but may still store cluster munitions in States Parties Afghanistan, Germany, Italy, Japan, and Spain, as well as in non-signatories Israel, Qatar, and perhaps Kuwait.
- Eleven States Parties have enacted legislation that explicitly prohibits investment in cluster munitions, while at least 31 States Parties and signatories to the convention have elaborated their view that investment in cluster munition production is a form of assistance prohibited by the convention.