

# CLUSTER MUNITION MONITOR 2020



10-YEAR REVIEW



# CLUSTER MUNITION MONITOR 2020

11<sup>th</sup> ANNUAL EDITION

*Monitoring and Research Committee, ICBL-CMC Governance Board*  
DanChurchAid • Danish Demining Group • Human Rights Watch  
Humanity & Inclusion • Mines Action Canada  
Research team leaders • ICBL-CMC staff experts

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Landmine and Cluster Munition Monitor provides research and monitoring for the Cluster Munition Coalition (CMC) and the International Campaign to Ban Landmines (ICBL) and is a formal program of the ICBL-CMC. For more information visit [www.the-monitor.org](http://www.the-monitor.org) or email [monitor2@icblcmc.org](mailto:monitor2@icblcmc.org).

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## CLUSTER MUNITION COALITION

The Cluster Munition Coalition (CMC) is an international civil society campaign working to eradicate cluster munitions and prevent further harm from these weapons. The CMC works through its members to change the policy and practice of governments and organizations and to raise awareness of the devastation that cluster munitions cause.

The CMC is committed to the 2008 Convention on Cluster Munitions as the best framework for ending the use, production, stockpiling, and transfer of cluster munitions and for destroying stockpiles, clearing contaminated areas, and assisting affected communities.

The CMC calls for universal adherence to the Convention on Cluster Munitions and its full implementation by all, including:

- No more use, production, transfer, and stockpiling of cluster munitions by any actor under any circumstances;
- Rapid destruction of all remaining stockpiles of cluster munitions;
- Efficient clearance and destruction of all cluster munition remnants in cluster munition-contaminated areas; and
- Fulfillment of the rights and needs of all cluster munition and explosive remnants of war (ERW) victims.

# PREFACE

## CLUSTER MUNITIONS

Cluster munitions pose significant dangers to civilians for two principal reasons: their impact at the time of use and their deadly legacy. Launched from the ground or dropped from the air, cluster munitions consist of containers that open and disperse submunitions indiscriminately over a wide area, claiming both civilian and military victims. Many explosive submunitions, also known as bomblets, fail to detonate as designed when they are dispersed, becoming de facto landmines that kill and maim indiscriminately long after the conflict has ended and create barriers to socio-economic development.

To protect civilians from the effects of cluster munitions, Norway and other like-minded countries initiated a fast-track diplomatic process in 2006 aimed at creating a new international treaty. Working in partnership with UN agencies, the International Committee of the Red Cross, and civil society grouped under the Cluster Munition Coalition (CMC), the fast-track Oslo Process resulted in the adoption of the Convention on Cluster Munitions in May 2008.

The year 2020 marked the tenth anniversary of the entry into force of the Convention on Cluster Munitions on 1 August. The convention prohibits the use, production, transfer, and stockpiling of cluster munitions. It also requires destruction of stockpiled cluster munitions within eight years, clearance of cluster munition remnants within 10 years, and assistance to victims, including those injured by submunitions as well as the families of those injured or killed, and affected communities.

## CLUSTER MUNITION COALITION

Launched by non-governmental organizations (NGOs) in November 2003, the CMC plays a crucial facilitating role in leading global civil society action in favor of the ban on cluster munitions. With campaign contacts in more than 100 countries, the CMC works for the full universalization and implementation of the Convention on Cluster Munitions. In January 2011, the CMC merged with the International Campaign to Ban Landmines (ICBL) to become the ICBL-CMC, but the CMC and ICBL remain two distinct and strong campaigns.

## LANDMINE AND CLUSTER MUNITION MONITOR

Landmine and Cluster Munition Monitor provides research and monitoring for both the CMC and the ICBL on the Convention on Cluster Munitions and Mine Ban Treaty respectively. Created by the ICBL as Landmine Monitor in June 1998, the initiative became the research and monitoring arm of the CMC in 2008 and changed its name in 2010 to Landmine and Cluster Munition Monitor, known simply as “the Monitor.”

The Monitor represents the first time that NGOs have come together in a coordinated, systematic, and sustained way to monitor humanitarian disarmament treaties and to regularly document progress and problems. Established in recognition of the need for independent reporting and evaluation, the Monitor has put into practice the concept of civil society-based verification that is now employed in many similar contexts. It has become the de facto monitoring regime for both treaties, monitoring and reporting on States Parties’ implementation and compliance, and more generally, assessing the international community’s response to the humanitarian problems caused by landmines, cluster munitions, and other explosive remnants of war (ERW). The Monitor’s reporting complements transparency reporting by states required under the treaties and reflects the shared view that transparency, trust, and mutual collaboration are crucial elements for the successful eradication of antipersonnel mines and cluster munitions.

The Monitor is not a technical verification system or a formal inspection regime. It is an attempt by civil society to hold governments accountable for the legal obligations they have accepted with respect to antipersonnel mines and cluster munitions. This is done through extensive collection and analysis of publicly available information, including via field missions in some instances. The Monitor works in good faith to provide factual information about issues it is monitoring in order to benefit the international community as a whole. It aims to promote and advance discussion in support of the goal of a world free of landmines and cluster munitions.

A Monitoring and Research Committee coordinates the Monitor system and has overall decision-making responsibility for the Monitor’s research products, acting as a standing committee of the ICBL-CMC Governance Board. To prepare this report, an Editorial Team gathered information with the aid of a global reporting network comprised of more than a dozen researchers with the assistance of CMC campaigners. Researchers contributed primarily to country profiles, available on the Monitor’s website at [www.the-monitor.org](http://www.the-monitor.org).

Unless otherwise specified, all translations were done by the Monitor.

The Monitor is a system that is continuously updated, corrected, and improved, and as was the case in previous years, the Monitor acknowledges that this ambitious report is limited by the time, resources, and information sources available. Comments, clarifications, and corrections from governments and others are sought in the spirit of dialogue and in the common search for accurate and reliable information on this important subject.

## ABOUT THIS REPORT

This is the 11<sup>th</sup> annual *Cluster Munition Monitor* report. It is the sister publication to the *Landmine Monitor* report, which has been issued annually since 1999.

As well as a ten-year review, *Cluster Munition Monitor 2020* covers cluster munition ban policy, use, production, transfers, and stockpiling globally, and also contains information on the impact of cluster munition contamination and casualties as well as focusing on developments and challenges in addressing such impact through clearance, risk education and victim assistance. While its principal frame of reference is the Convention on Cluster Munitions, other relevant international law is reviewed, including the Convention on the Rights of Persons with Disabilities. The report focuses on calendar year 2019, with information included up to September 2020 where possible.

## ACKNOWLEDGMENTS

A broad-based network of individuals, campaigns, and organizations from around the world produced this report. It was assembled by a dedicated team of researchers and editors with the support of a significant number of donors.

Researchers are cited separately on the Monitor website at [www.the-monitor.org](http://www.the-monitor.org). The Monitor is grateful to everyone who contributed research to this report. We wish to thank the scores of individuals, campaigns, NGOs, international organizations, field practitioners, and governments who provided us with essential information. We are grateful to ICBL-CMC staff for their review of the content of the report and their assistance in the release, distribution, and promotion of Monitor reports.

Responsibility for the coordination of the Monitor lies with the Monitoring and Research Committee, a standing committee of the ICBL-CMC Governance Board comprised of five NGOs as well as Monitor research team leaders and ICBL-CMC staff. The committee's members include: DanChurchAid (Dennis Solberg Kjeldsen), Danish Demining Group (Richard MacCormac), Human Rights Watch (Stephen Goose), Humanity & Inclusion (Alma Taslidžan Al-Osta), Mines Action Canada (Paul Hannon), Loren Persi Vicentic (Impact Research team coordinator), Kasia Derlicka-Rosenbauer (ICBL-CMC Government Liaison and Policy manager), Diana Carolina Prado Mosquera (Advocacy and Campaigns manager), Marion Loddo (Monitor Editorial manager), and ex officio member Hector Guerra (ICBL-CMC director).

Morgan McKenna served as interim Monitor Program manager from September 2019 to April 2020, and provided advisory support during the management transition in the Monitor.

From January to September 2020, the Monitor's Editorial Team undertook research, updated country profiles, and produced thematic overviews for *Cluster Munition Monitor 2020*. The Editorial Team included:

- Ban policy: Mary Wareham, Stephen Goose, Mark Hiznay, Jacquelyn Kantack, and Yeshua Moser-Puangsuwan;
- Support for mine action: Marion Loddo; and
- Impact (contamination, clearance, casualties, risk education, and victim assistance): Loren Persi Vicentic, Ruth Bottomley, Éléa Boureux, Mariana Díaz García, Sarah Edgcumbe, and Alžbeta Djurbová.

Marion Loddo of ICBL-CMC provided final editing in August–September 2020 with assistance from Michael Hart (publications consultant).

Report and cover design was created by Lixar I.T. Inc. Pole Communication printed the report in Switzerland. The front cover photograph was provided by Sean Sutton/MAG and back cover photographs provided by the Convention on Cluster Munitions Implementation Support Unit (ISU) and the Assistance Advocacy Access Serbia (AAAS). Additional photographs found within *Cluster Munition Monitor 2020* were provided by multiple photographers, cited with each photograph.

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## ABBREVIATIONS AND ACRONYMS

BAC	battle area clearance
CBU	cluster bomb unit
CHA	confirmed hazardous area
CCW	1980 Convention on Conventional Weapons
CMC	Cluster Munition Coalition
CRPD	Convention on the Rights of Persons with Disabilities
DPICM	dual-purpose improved conventional munition
ERW	explosive remnants of war
HI	Humanity & Inclusion (formerly Handicap International)
HRW	Human Rights Watch
ICBL	International Campaign to Ban Landmines
ICRC	International Committee of the Red Cross
NGO	non-governmental organization
NSAG	non-state armed group
NTS	non-technical survey
SHA	suspected hazardous area
TS	technical survey
UN	United Nations
UNDP	United Nations Development Programme
UNMAS	United Nations Mine Action Service
UXO	unexploded ordnance



## GLOSSARY

**Battle area clearance** – The systematic and controlled clearance of dangerous areas where the explosive hazards are known not to include landmines.

**Clearance** – Tasks or actions to ensure the removal and/or the destruction of all mine and ERW hazards from a specified area to a specified depth.

**Cluster bomb** – Air-dropped cluster munition.

**Cluster munition** – According to the Convention on Cluster Munitions a cluster munition is “A conventional munition that is designed to disperse or release explosive submunitions each weighing less than 20 kilograms, and includes those explosive submunitions.” Cluster munitions consist of containers and submunitions. Launched from the ground or air, the containers open and disperse submunitions (or bomblets, from fixed dispensers) over a wide area. Submunitions are typically designed to pierce armor, kill personnel, or both.

**Confirmed hazardous area (CHA)** – An area where the presence of landmines, mine, unexploded submunition or bomblet, and other ERW (mines/ERW) contamination has been confirmed on the basis of direct evidence of the presence of mines/ERW.

**Convention on Cluster Munitions** – An international convention adopted in May 2008 and opened for signature in December 2008, which entered into force 1 August 2010. The United Nations Secretary-General is the depository. The convention prohibits the use, production, stockpiling, and transfer of cluster munitions. It also requires stockpile destruction, clearance, and victim assistance.

**Dual-purpose improved conventional munition (DPICM)** – A type of cluster munition that can be used against both personnel and material targets, including armor.

**Explosive remnants of war (ERW)** – Under Protocol V to the Convention on Conventional Weapons, explosive remnants of war are defined as unexploded ordnance and abandoned explosive ordnance. Mines are explicitly excluded from the definition.

**Interoperability** – In relation to Article 21 of the Convention on Cluster Munitions, interoperability refers to joint military operations with states not party to the convention that might engage in activities prohibited to a State Party.

**Non-state armed groups (NSAGs)** – For the Monitor’s purposes, non-state armed groups include organizations carrying out armed rebellion or insurrection, as well as a broader range of non-state entities, such as criminal gangs and state-supported proxy forces.

**Non-technical survey (NTS)** – The collection and analysis of data, without the use of technical interventions, about the presence, type, distribution, and surrounding environment of mine/ERW contamination, in order to define better where mine/ERW contamination is present, and where it is not, and to support land release prioritization and decision-making processes through the provision of evidence. Non-technical survey activities typically include, but are not limited to, desk studies seeking information from central institutions and other relevant sources, as well as field studies of the suspected area.

**Oslo Process** – The diplomatic process undertaken from 2006–2008 that led to the negotiation, adoption, and signing of the 2008 Convention on Cluster Munitions.

**Self-destruct mechanism** – Under the Convention on Cluster Munitions, an “incorporated automatically-functioning mechanism which is in addition to the primary initiating mechanism of the munition and which secures the destruction of the munition into which it is incorporated.”

**Self-deactivating** – Under the Convention on Cluster Munitions, automatically rendering a munition inoperable by making an essential component (e.g. a battery) non-functional.

**Submunition** – Any munition that, to perform its task, separates from a parent munition (cluster munition). All air-dropped submunitions are commonly referred to as “bomblets,” although the term bomblet has a specific meaning in the Convention on Cluster Munitions. When ground-launched, they are sometimes called “grenades.”

**Suspected hazardous area (SHA)** – An area where there is reasonable suspicion of mine/ERW contamination on the basis of indirect evidence of the presence of mines/ERW.

**Technical survey (TS)** – The collection and analysis of data, using appropriate technical interventions, about the presence, type, distribution, and surrounding environment of mine/ERW contamination, in order to define better where mine/ERW contamination is present, and where it is not, and to support land release prioritization and decision-making processes through the provision of evidence. Technical survey activities may include visual search, instrument-aided surface search, and shallow- or full sub-surface search.

**Unexploded submunitions or unexploded bomblets** – Submunitions or bomblets that have failed to explode as intended at the time of use, becoming unexploded ordnance.

**Unexploded ordnance (UXO)** – Munitions that were prepared to explode but for some reason failed to detonate.

**Victim** – According to the Convention on Cluster Munitions, “all persons who have been killed or suffered physical or psychological injury, economic loss, social marginalization or substantial impairment of the realization of their rights caused by the use of cluster munitions. They include those persons directly impacted by cluster munitions as well as their affected families and communities.”

## 2008 CONVENTION ON CLUSTER MUNITIONS

### Table Key

States Parties: Ratified or acceded as of 15 September 2020

Signatories: Signed, but not yet ratified as of 15 September 2020

Non-signatories: Not yet acceded as of 15 September 2020

### The Americas

Antigua & Barbuda	Guyana
Belize	Honduras
Bolivia	Mexico
Canada	Nicaragua
Chile	Panama
Colombia	Paraguay
Costa Rica	Peru
Cuba	Saint Kitts & Nevis
Dominican Rep.	Saint Lucia
Ecuador	Saint Vincent & the Grenadines
El Salvador	Trinidad and Tobago
Grenada	Uruguay
Guatemala	
Jamaica	Haiti
Argentina	Suriname
Bahamas	United States
Barbados	Venezuela
Brazil	
Dominica	

### East & South Asia & the Pacific

Afghanistan	Nauru
Australia	Niue
Cook Islands	New Zealand
Fiji	Palau
Japan	Philippines
Lao PDR	Samoa
Maldives	Sri Lanka
Indonesia	
Bangladesh	Mongolia
Bhutan	Myanmar
Brunei Darussalam	Nepal
Cambodia	Pakistan
China	Papua New Guinea
India	Singapore
Kiribati	Solomon Islands
Korea, North	Thailand
Korea, South	Timor-Leste
Malaysia	Tonga
Marshall Islands	Tuvalu
Micronesia, Fed. States of	Vanuatu
	Vietnam

### Europe, the Caucasus & Central Asia

Albania	Holy See	Netherlands
Andorra	Hungary	North Macedonia
Austria	Iceland	Norway
Belgium	Ireland	Portugal
Bosnia & Herzegovina	Italy	San Marino
Bulgaria	Liechtenstein	Slovakia
Croatia	Lithuania	Slovenia
Czech Republic	Luxembourg	Spain
Denmark	Malta	Sweden
France	Moldova	Switzerland
Germany	Monaco	United Kingdom
Cyprus	Montenegro	
Armenia	Kazakhstan	Tajikistan
Azerbaijan	Kyrgyzstan	Turkey
Belarus	Latvia	Turkmenistan
Estonia	Poland	Ukraine
Finland	Romania	Uzbekistan
Georgia	Russia	
Greece	Serbia	

### Middle East & North Africa

Iraq	Palestine	Tunisia
Lebanon		
Algeria	Kuwait	Syria
Bahrain	Libya	United Arab Emirates
Egypt	Morocco	Yemen
Iran	Oman	
Israel	Qatar	
Jordan	Saudi Arabia	

### Sub-Saharan Africa

Benin	Ghana	Rwanda
Botswana	Guinea	São Tomé & Príncipe
Burkina Faso	Guinea-Bissau	Senegal
Burundi	Lesotho	Seychelles
Cameroon	Madagascar	Sierra Leone
Cape Verde	Malawi	Somalia
Chad	Mali	South Africa
Congo, Rep.	Mauritania	Togo
Comoros	Mauritius	Zambia
Côte d'Ivoire	Mozambique	
Eswatini	Namibia	
Gambia	Niger	
Angola	Djibouti	Nigeria
Central African Rep.	Kenya	Tanzania
Congo, Dem Rep.	Liberia	Uganda
Equatorial Guinea	Gabon	Sudan
Eritrea	South Sudan	Zimbabwe
Ethiopia		

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Cluster munition remnants photographed by Conflict Armament Research (CAR) field investigators in southern Lebanon, along the Blue Line, in an area being cleared by Norwegian People's Aid.

© CAR, April 2019

# MAJOR FINDINGS

AS OF 23 SEPTEMBER 2020

## STATUS OF THE 2008 CONVENTION ON CLUSTER MUNITIONS

- The Convention on Cluster Munitions has a total of 110 States Parties. Since its entry into force on 1 August 2010, 15 countries have acceded to it, most recently Saint Lucia in September 2020, Niue in August 2020, and the Maldives in September 2019.
- Most recently, São Tomé and Príncipe ratified the convention in January 2020, which means that 88% of the convention's signatories have now ratified it. However, 13 have yet to do so.
- In December 2019, 30 non-signatories to the convention were among the 144 states to vote in favor of an annual United Nations General Assembly resolution promoting the convention. Thirty-eight states abstained on the resolution and Russia was the only country to vote against it, after abstaining in 2018.

## USE OF CLUSTER MUNITIONS

- There have been no confirmed reports or allegations of new use of cluster munitions by any State Party since the convention was adopted in 2008.
- Between August 2010 and July 2020, cluster munitions were used in seven non-signatories: Cambodia, Libya, South Sudan, Sudan, Syria, Ukraine, and Yemen.
- There have been at least 686 cluster munition attacks in Syria since July 2012, the only country to have experienced continuous use of the weapons since then.
- Between July 2019 and July 2020, cluster munitions were used in Libya and Syria, both non-signatories to the convention. The Monitor reviewed allegations of new cluster munition use in Yemen and in the contested region of Kashmir on the India-Pakistan border, but could not make a conclusive determination.

## STOCKPILE DESTRUCTION

- Under the convention, 36 States Parties and two signatories have destroyed a collective total of 1.5 million cluster munitions containing more than 178 million submunitions. This represents the destruction of 99% of the total global cluster munitions stocks declared by States Parties.
- During 2019, States Parties Bulgaria, Peru, and Slovakia destroyed 212 cluster munitions and more than 14,000 submunitions. Switzerland was the last State Party to complete stockpile destruction under the convention, in March 2019.
- No State Party with the first stockpile destruction deadline of 1 August 2018 failed to destroy its stocks in time. However, Bulgaria and Peru have requested extensions to their destruction deadlines, South Africa has not destroyed any cluster munitions since 2012, while Guinea-Bissau must clarify if it missed its May 2019 stockpile destruction deadline.

## CONTAMINATION

- A total of 26 countries and other areas are contaminated by cluster munition remnants: 10 States Parties, 13 non-signatories and three other areas. Contamination is unclear or has varying interpretations for three States Parties: Colombia, Palau, and the United Kingdom. Two signatories, Angola and the Democratic Republic of the Congo, may have residual contamination.
- New use since the entry into force of the convention has resulted in further contamination in six non-signatories: Cambodia, Libya, South Sudan, Sudan, Syria, and Yemen. In addition, non-signatory Ukraine became contaminated for the first time after the convention entered into force.
- State Party Mauritania, which had reported fulfilment of its clearance obligations in September 2013, has reported in 2020 finding new cluster munition contamination covering an estimated 36km<sup>2</sup> of land.

## CASUALTIES

- In 2010–2019, at least 4,315 new cluster munition casualties were reported in 20 countries and other areas. More than 80% of the global casualties were recorded in Syria, while children accounted for 40% of all casualties.
- With the adoption of the convention, the number of recorded casualties has increased due to updated casualty surveys identifying pre-convention casualties, more detailed and swifter reporting, as well as new use of cluster munitions during attacks and the remnants they have left behind. The estimated number of global all-time casualties for 34 countries and three other areas is 56,000 or more.
- In 2019, a total of 286 new cluster munition casualties were recorded. This represents a significant increase (92%) compared to the annual total of 149 in 2018, and is relational to the human impact of cluster munition attacks in Syria during the year. However, it remains far below the annual total of 971 casualties recorded in 2016.
- Civilians accounted for 99% of all casualties whose status was recorded in 2019, as was the case in 2018 and 2017, and consistent with statistics on cluster munition casualties for all time due to the indiscriminate nature of the weapon.
- The highest number of the 2019 casualties was recorded in Syria with 232 casualties. Nearly all of these casualties were directly due to *cluster munition attacks*, with 219 people injured or killed. This was more than three times higher than the 65 casualties recorded in 2018.
- In 2019, casualties from *cluster munition attacks* were also reported in Libya, while casualties due to *cluster munition remnants* were recorded in 10 countries and other areas: Afghanistan, Iraq, Lao PDR, Lebanon, Serbia, South Sudan, Syria, and Yemen, as well as Nagorno-Karabakh and Western Sahara.

## CLEARANCE

- Since the convention's entry into force, six State Parties have completed clearance of areas contaminated by cluster munition remnants, most recently Croatia and Montenegro in July 2020.
- In 2019, approximately 82km<sup>2</sup> of cluster munition contaminated land was cleared by States Parties and some 96,533 submunitions were destroyed. This represents 15% of the 560km<sup>2</sup> of land cleared in States Parties between 2010–2019, and more than 20% of the total number of submunitions destroyed during that period (452,938).
- For most of the States Parties with Article 4 obligations, it is uncertain or unlikely that they will meet their clearance deadlines, despite the small areas of contamination remaining in some of them. Five States Parties requested to extend their clearance deadline by another five years: Germany and Lao PDR in 2019 (granted) and Bosnia and Herzegovina, Chile, and Lebanon in 2020 (to be considered at the Second Review Conference in November 2020).

## RISK EDUCATION

- The majority of cluster munition contaminated States Parties have some form of provision of risk education, although only State Party Lao PDR has risk education directed predominantly to addressing the risk behaviors associated with cluster munition remnants.
- Given the relatively little attention and resources directed towards risk education internationally since the convention entered into force, the existing level of the risk education response at the national level can be viewed as an achievement.
- In 2019, 10 States Parties had institutions in place for coordinating risk education. Only Iraq and Lao PDR provided beneficiary numbers disaggregated by age and sex in their Article 7 transparency reports for the year 2019.

## VICTIM ASSISTANCE

- The Convention on Cluster Munitions was the first humanitarian disarmament treaty to make the provision of assistance to the victims of a specific weapon a formal obligation for all States Parties with victims and continues to set the highest standards for victim assistance.
- Some assistance to victims existed in all the relevant States Parties, and work to improve the quality and quantity of rehabilitation programs for survivors was reported in several countries. However, it was also documented that funding shortages affected the improvement and implementation of victim assistance, and that services were significantly lacking in the area of ensuring access to work, employment and decent livelihoods.
- As of the end of 2019, only six of the 14 States Parties with cluster munition casualties recorded had current planning in place for victim assistance, while all but one had reported a designated victim assistance focal point.
- The promise of greater integration into national systems often remained tenuous. Existing national services and mechanisms mostly lacked the capacity to take on the needs of victims, while many existing assistance providers receiving earmarked funding saw already unpredictable resources diminishing in recent years.
- Most coordination of activities included some survivor representation, but this was generally not meeting the obligation of ensuring close consultation with cluster munition victims, including survivors, as required both in the convention itself and in associated rights of persons with disabilities.



## PRODUCTION AND TRANSFER

- Under the convention, 17 States Parties have ceased manufacturing cluster munitions.
- None of the 16 countries that still produce cluster munitions or reserve the right to do so are party to the convention. Evidence shows that China and Russia are actively researching and developing new types of cluster munitions in 2020.
- In the past, at least 15 countries have transferred more than 50 types of cluster munitions to at least 60 other countries. Seven former exporters are now States Parties.

## RETENTION

- Only 13 of the convention's 110 States Parties are retaining live cluster munitions for training or research purposes as permitted by the convention. All are from Europe with the exception of Cameroon.
- Australia, Italy, and the United Kingdom initially retained cluster munitions, but have since destroyed them.
- Germany has reduced its number of cluster munitions retained by almost 70% since 2011, but still has the highest number of retained cluster munitions. In 2019, Germany destroyed 164 cluster munitions and 11,284 submunitions retained for training.
- In 2019, the Netherlands significantly reduced the number of cluster munitions retained, destroying 200 cluster munitions and more than 17,600 submunitions. Bulgaria, Czech Republic, Sweden, and Switzerland also reduced the number of their retained cluster munitions.

## TRANSPARENCY

- A total of 100 States Parties have submitted an initial transparency report as required by the convention, including eight States Parties in the reporting period. This represents more than 90% of all States Parties for which the obligation currently applies. Of the 10 States Parties still to deliver their initial transparency report, Cape Verde and Comoros are nearly a decade late.
- In April 2020, non-signatories Brunei and South Sudan each provided a voluntary transparency report for the convention.
- Compliance with the annual reporting requirement is less impressive. Only 63 States Parties have provided their annual updated reports due by 30 April 2020, representing a 60% reporting rate, which is similar to previous years.

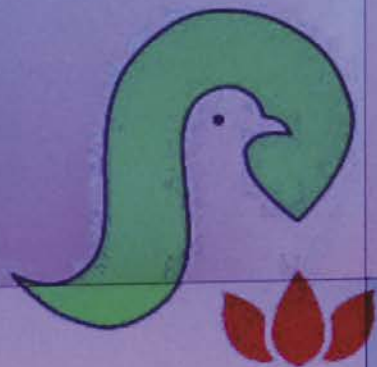
## NATIONAL LEGISLATION

- A total of 32 States Parties have enacted specific national legislation to implement the convention. Eleven did so prior to the convention's entry into force, while 21 States Parties have enacted legislation in the period since.
- No State Party has adopted implementing legislation for the convention in 2020. However, 20 States Parties are in the process of drafting, reviewing, or adopting national legislation for the convention, and seven States Parties are considering if specific implementation legislation is needed.
- A total of 43 States Parties have reported that they regard existing legislation as sufficient to enforce their implementation of the convention.

## INTERPRETATION OF THE CONVENTION ON CLUSTER MUNITIONS

- 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. However, States Parties Australia, Canada, Japan, and the United Kingdom assert that the Article 1 prohibition on assistance with prohibited acts may be overridden by the interoperability provisions contained in Article 21.
- At least 35 States Parties and signatories have declared that transit and foreign stockpiling are prohibited by the convention. States Parties Australia, Canada, Japan, the Netherlands, Portugal, Sweden, and the United Kingdom have asserted that transit and foreign stockpiling are not prohibited by the convention.
- Eleven States Parties have enacted legislation that explicitly prohibits investment in cluster munitions, while at least 38 States Parties and signatories have stated that they regard investment in cluster munition production as a form of assistance prohibited by the convention.

# e Meeting



**9<sup>TH</sup> MEETING  
OF STATES PARTIES  
2-4 SEPTEMBER  
GENEVA 2019**



Hector Guerra, Cluster Muniton Coalition Director, during the opening ceremony of the Ninth Meeting of States Parties to the Convention on Cluster Munitions, held in the Human Rights Council, in Geneva.

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# CLUSTER MUNITION BAN POLICY

## INTRODUCTION

In 2020, the entire planet faces an array of serious challenges, from the COVID-19 pandemic to worsening climate change to an economic downturn.<sup>1</sup> This is changing, but not replacing, the collaborative work underway to push the Convention on Cluster Munitions onwards to its goal of eradicating the human suffering caused by these explosive weapons.

The convention has come a long way since it was adopted in Dublin, Ireland, on 30 May 2008.<sup>2</sup> 2020 marks 10 years since it took effect on 1 August 2010, becoming binding international law. It is also the year of the convention's milestone Second Review Conference, which Switzerland will convene in Lausanne this November.

Thus, this is an appropriate time for Cluster Munition Monitor to review highlights from the past year and, where appropriate, the past 10 years. This introduction also takes stock of some factors and forces that have contributed to the convention's successes over the past decade.

First and foremost is the political interest and goodwill that drove the fast-track Oslo Process to create the convention. States still "remain seized" of this concern, driven by a strong desire to tackle humanitarian concerns raised by the unacceptable harm caused by cluster munitions, both at the time of attack and from explosive remnants left behind.

Indeed, when the Minister of Foreign Affairs of the Maldives, Abdulla Shahid, deposited his country's accession to the convention at the United Nations (UN) last September, he said

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- 1 See, for example, this open letter endorsed by the Cluster Munition Coalition (CMC) and other global campaigns as well as more than 250 non-governmental organizations: "Humanitarian Disarmament (HD) and COVID-19", June 2020, [bit.ly/2Covid19HDOpenLetter](https://bit.ly/2Covid19HDOpenLetter).
  - 2 Only 16 of the 107 governments that participated in the Dublin negotiations and adopted the Convention on Cluster Munitions on 30 May 2008 have not joined the convention: Argentina, Bahrain, Brunei Darussalam, Cambodia, Estonia, Finland, Kyrgyzstan, Malaysia, Morocco, Papua New Guinea, Qatar, Serbia, Sudan, Timor-Leste, Vanuatu, and Venezuela. Adoption does not carry any legal obligations.

he was “proud” to do so and reiterated, “We will support global efforts to ban the use of this horrible weapon, which leaves a lasting legacy of untold human suffering.”<sup>3</sup>

Another example of political will can be seen in the speed at which nations raced to ratify the convention, resulting in its entry into force 19 months after it was opened for signature in December 2008.<sup>4</sup> However, just one signatory ratified in the reporting period— São Tomé and Príncipe in January 2020—and the 13 remaining signatories made little progress towards completing ratification.

There are now 110 States Parties to the convention, including 36 that have destroyed all of their stockpiled cluster munitions, collectively destroying nearly 1.5 million cluster munitions and more than 178 million submunitions. This represents 99% of all cluster munitions that States Parties have reported stockpiling.

A second factor behind the convention’s success is the dedicated support provided by a close-knit community of states, UN agencies, institutions such as the International Committee of the Red Cross (ICRC), and the Cluster Munition Coalition (CMC) of non-governmental organizations (NGOs). These actors meet regularly in Geneva between annual meetings of the convention to follow up on activities and are led by a rotating annual president and backed by a small, but productive implementation support unit.

Over the past decade, the convention’s community has created an intricate web of innovative mechanisms and practices aimed at guiding implementation, facilitating coordination, and addressing compliance concerns in a cooperative manner. This work relies heavily on actors working at the national level to help address concerns and follow-up on outstanding obligations.

Such measures include regional awareness-raising workshops, guidance on domestic legislative measures to enforce the convention’s provisions, follow-up to ensure timely transparency reporting, and the provision of financial and technical assistance to states facing challenges in meeting clearance and stockpile destruction obligations.

The end result is an impressive compliance record for the Convention on Cluster Munitions. There have never been any instances, or even allegations, of any State Party using or producing cluster munitions. Such adherence is reinforced by specific implementation legislation that 32 States Parties have enacted to enforce the convention’s provisions with penal and fiscal sanctions.

More than 90% of States Parties have submitted their initial transparency reports for the convention, detailing actions taken to implement and promote it. However, dedicated efforts are needed to ensure that all States Parties meet their legal obligations under the convention.

There is disappointment that Bulgaria and Peru are testing the convention’s excellent compliance record for stockpile destruction with their deadline extension requests.

A third and final factor in the convention’s sustained appeal is the growing stigma that it attaches to any use, production, transfer, and stockpiling of cluster munitions by any actor in any circumstances. More than half of the 74 non-signatories to the convention possess stockpiled cluster munitions, but virtually all are in de facto compliance with the convention’s prohibition on use, production, and transfer.

However, a handful of states outside the Convention on Cluster Munitions oppose the rapidly emerging international norm it is creating, most notably the Russian Federation and Syrian Arab Republic.

<sup>3</sup> Shahid, Abdulla (abdulla\_shahid), “Proud to submit the instrument of ratification for the Convention on Cluster Munitions #CCM on behalf of #Maldives today. We will support global efforts to ban the use of this horrible weapon, which leaves a lasting legacy of untold human suffering for innocent civilians.” 27 September 2019, 10:21 UTC. Tweet. [bit.ly/AbdullaShahid27Sept2019](https://bit.ly/AbdullaShahid27Sept2019).

<sup>4</sup> When the convention entered into force, 108 states had signed it, of which 38 were States Parties legally bound by its provisions.

Since 2012, Syrian government forces have used cluster munitions on their own people with devastating consequences for the country. The use of banned weapons has set a poor example across the region as parties to conflicts in other non-signatories Libya, Sudan, and Yemen have harmed civilians by resorting to the use of cluster munitions during the past decade.

Since 2015, Russia has actively supported the use of these internationally-banned weapons by Syrian government forces and has not denied its direct involvement. Indeed, Russian cluster bombs were on full display at a Moscow exhibition in 2019 commemorating the government's participation in the joint military operation in Syria.

In 2020, Russian state-owned arms manufacturer NPO Splyav displayed its next generation of "advanced" cluster munition rockets during a media event at its refurbished factory south of Moscow and encouraged visitors to handle the newly-made submunitions. Russia was also the only country to vote against the annual UN General Assembly (UNGA) resolution promoting the convention in December 2019, after declining to join China, Israel, the United States (US), and others in abstaining from the vote.

As yet, other states not party to the convention have refrained from showing such shocking disregard for the convention. A 2017 Trump administration roll-back of US policy restrictions on cluster munitions has yet to result in a return to US use or production of the weapon. Countries continue to join the convention, although the pace of universalization has slowed significantly over the past decade and especially since 2015.

This ban overview covers activities during the second half of 2019 and the first half of 2020, with updates through to September 2020, where possible. The findings are drawn from detailed country profiles available on the Monitor website.<sup>5</sup>

## UNIVERSALIZATION

The Convention on Cluster Munitions requires its States Parties to encourage other states to ratify, accept, approve, or accede to it, with the goal of attracting adherence by all.<sup>6</sup>

## ACCESSIONS

During the reporting period, three countries acceded to the Convention on Cluster Munitions: Saint Lucia on 15 September 2020, Niue on 6 August 2020, and the Maldives on 27 September 2019.<sup>7</sup>

There were several positive developments concerning accessions to the convention during the reporting period, most notably in the Asia-Pacific region.

Vanuatu's Department of Foreign Affairs said in April 2020 that a Cabinet paper recommending Vanuatu's accession to the convention would shortly be shared with the newly-elected government's Council of Ministers for consideration and approval.<sup>8</sup> Authorities in Papua New Guinea appear to be actively considering the country's possible accession to the convention.<sup>9</sup> This follows their participation in regional workshops hosted by the Philippines in June 2019 and New Zealand in February 2018.

<sup>5</sup> See, ICBL-CMC, Country Profiles, [www.the-monitor.org/cp](http://www.the-monitor.org/cp).

<sup>6</sup> Accession, ratification, and other methods of joining the convention usually require parliamentary approval, typically in the form of legislation.

<sup>7</sup> The convention takes effect for each individual state on the first day of the sixth month after their deposit of the instrument of accession or ratification with the UN in New York. However, the Monitor lists a country as a State Party as soon as the deposit occurs.

<sup>8</sup> Email from Majorie Wells, Desk Officer, Treaties and Conventions Division, Vanuatu Ministry of Foreign Affairs, International Cooperation and External Trade, 27 April 2020.

<sup>9</sup> According to a government official, two internal meetings were convened in 2019 to discuss possible accession to the convention. Email from Peter Mirino, Director, Border and Security Division, Papua New Guinea Customs Services, 15 May 2020.

In September 2019, Bangladesh told States Parties that it is “actively considering signing the ban treaty on cluster munitions following required protocol in due course of time.”<sup>10</sup>

Zimbabwe said in September 2019 that “internal processes are underway” to prepare for its accession to the convention.<sup>11</sup> South Sudan provided a voluntary transparency report for the convention in April 2020 that confirms its parliament is still considering a proposal for South Sudan to ratify the convention.<sup>12</sup>

However, several non-signatories reiterated their largely negative views on the convention. For example, in September 2019, Argentina told States Parties that the convention is “not sufficiently ambitious” and called it “contrary to the objective of the total prohibition and the principle of non-discrimination.”<sup>13</sup>

## TEN-YEAR REVIEW

Since the convention entered into force in August 2010, states can no longer sign it but must join through a process known as accession.<sup>14</sup> A total of nine states acceded to the convention between August 2010 and the First Review Conference in September 2015, while six more states have acceded in the five years since.<sup>15</sup> Of the 15 states to have acceded to the convention, seven came from Latin America (including five Caribbean states), three from Asia-Pacific, two from Africa, two from Europe and one from the Middle East.

Prior to its entry into force, 14 states signed the Convention on Cluster Munitions after its Oslo Signing Conference in December 2008: five from the Caribbean, six from Sub-Saharan Africa, one from Europe, and two from the Middle East and North Africa region.<sup>16</sup>

This record shows how nearly two-thirds of United Nations (UN) member states have joined the convention. All except seven North Atlantic Treaty Organization (NATO) member states have joined it.<sup>17</sup>

## Accessions to the Convention on Cluster Munitions

Year of accession	State
2011	Eswatini Grenada Trinidad and Tobago
2013	Andorra Saint Kitts and Nevis
2014	Belize Guyana
2015	Mauritius Palestine Slovakia
2016	Cuba
2018	Sri Lanka
2019	Maldives
2020	Niue Saint Lucia

<sup>10</sup> Statement of Bangladesh, Convention on Cluster Munitions Ninth Meeting of States Parties, Geneva, 2 September 2019, [bit.ly/BangladeshStatement2019](https://bit.ly/BangladeshStatement2019). This marked the first time that Bangladesh elaborated its views on the convention, but officials had previously discussed the country's views with the Cluster Munition Coalition (CMC) on many occasions.

<sup>11</sup> Statement of Zimbabwe, Convention on Cluster Munitions Ninth Meeting of States Parties, Geneva, 2 September 2019, [bit.ly/ZimbabweStatement2019](https://bit.ly/ZimbabweStatement2019). Zimbabwe said the lack of accession could be “largely attributed to logistical and technical capacity.”

<sup>12</sup> South Sudan Convention on Cluster Munitions Article 7 Report (voluntary), 30 April 2020, [bit.ly/SouthSudanArticle7Report2020](https://bit.ly/SouthSudanArticle7Report2020).

<sup>13</sup> Statement of Argentina, Convention on Cluster Munitions Ninth Meeting of States Parties, Geneva, 2 September 2019, [bit.ly/ArgentinaStatement2019](https://bit.ly/ArgentinaStatement2019).

<sup>14</sup> Accession is essentially a process that combines signature and ratification into a single step.

<sup>15</sup> A total of nine states acceded to the convention between August 2010 and the First Review Conference in September 2015: Andorra, Belize, Eswatini, Grenada, Guyana, Palestine, Saint Kitts and Nevis, Slovakia, and Trinidad and Tobago. In the five years since then, six states have acceded to the convention, as of 16 September 2020: Cuba, Maldives, Mauritius, Niue, Saint Lucia and Sri Lanka.

<sup>16</sup> Ten states signed the convention in 2009 (Cameroon, Cyprus, Democratic Republic of the Congo (DRC), Dominican Republic, Haiti, Iraq, Jamaica, Nigeria, Saint Vincent and the Grenadines, Tunisia), while four did so in 2010 (Antigua and Barbuda, Djibouti, Mauritania, and Seychelles).

<sup>17</sup> The NATO member states that have not signed or ratified the convention are: Estonia, Greece, Latvia, Poland, Romania, Turkey, and the United States (US).

Of the 27 European Union (EU) member states, all except six have joined the convention.<sup>18</sup> In the Americas region, all except eight countries have signed or ratified the convention, while all except seven countries in Sub-Saharan Africa have done so.

The 74 states that remain outside the convention include three members of the UN Security Council: China, Russia, and the United States (US), and 13 more states that also produce cluster munitions.

When it comes to countries joining the convention, the pace of universalization has slowed over the past decade and especially since 2015.

## RATIFICATIONS

During the reporting period, one signatory has ratified the convention: São Tomé and Príncipe on 27 January 2020.

Of the 13 signatories still to ratify the convention, nine are in Sub-Saharan Africa, while two are from the Caribbean, one is from Europe, and one is from the Asia-Pacific region.<sup>19</sup>

Haiti and Nigeria confirmed in September 2019 that their respective parliaments are undertaking processes to approve ratification of the convention.<sup>20</sup> Tanzania told States Parties in September 2019 that its ratification process is “ongoing,” but did not provide further details or an estimated timeframe for completion.<sup>21</sup>

Cyprus remains the last EU state to have signed but not ratified the convention and has not taken any steps to ratify it since 2013, when its parliament put the matter “on hold.”<sup>22</sup> The Democratic Republic of the Congo (DRC) has made no progress towards ratifying the convention since 2013, when its Senate passed legislation approving ratification.

The eight other signatories still do not appear to have referred requests to ratify the convention to their respective parliaments for consideration and approval.<sup>23</sup>

### Signatories yet to ratify the Convention on Cluster Munitions

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Angola  
 Central African Republic  
 Cyprus  
 DRC  
 Djibouti  
 Haiti  
 Indonesia  
 Jamaica  
 Kenya  
 Liberia  
 Nigeria  
 Tanzania  
 Uganda

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<sup>18</sup> The non-signatories from the EU are: Estonia, Finland, Greece, Latvia, Poland, and Romania.

<sup>19</sup> Signatories are bound by the Vienna Convention on the Law of Treaties not to engage in acts that “would defeat the object and purpose” of any treaty they have signed. The Vienna Convention is considered customary international law and binding on all countries.

<sup>20</sup> Haiti said in September 2019 that a draft decree of ratification is pending before the Haitian Parliament. Statement of Haiti, Convention on Cluster Munitions Ninth Meeting of States Parties, Geneva, 2 September 2019, [bit.ly/HaitiStatement2019](http://bit.ly/HaitiStatement2019). Unofficial translation by the Monitor. In September 2019, Nigeria informed States Parties that “the Convention is currently before the National Assembly receiving necessary attention as stipulated by the Constitution of the Federal Republic of Nigeria, and would be ratified as soon as the legislative processes are completed.” Statement of Nigeria, Convention on Cluster Munitions Ninth Meeting of States Parties, Geneva, 2 September 2019, [bit.ly/NigeriaStatement2019](http://bit.ly/NigeriaStatement2019).

<sup>21</sup> Statement of Tanzania, Convention on Cluster Munitions Ninth Meeting of States Parties, Geneva, 2 September 2019, [bit.ly/TanzaniaStatement2019](http://bit.ly/TanzaniaStatement2019).

<sup>22</sup> Letter from Basil Polemitis, Security Policy Director, Ministry of Foreign Affairs, to Mary Wareham, Advocacy Director, Arms Division, Human Rights Watch (HRW), 24 April 2013.

<sup>23</sup> Angola, Central African Republic, Djibouti, Indonesia, Jamaica, Kenya, Liberia, and Uganda.



## TEN-YEAR REVIEW

A total of 40 states ratified the convention before it entered into force on 1 August 2010, whilst 46 ratified between then and the First Review Conference in September 2015. Ten more states have ratified the convention in the five years since then, as of 31 August 2020.

In total, 88% of the convention's signatories have ratified and become fully bound by its provisions which shows how the vast majority of signatories ultimately followed through on their pledges to ratify.

## MEETINGS AND ACTIONS ON CLUSTER MUNITIONS

The Permanent Representative of Sri Lanka to the UN in Geneva, Ambassador Aliyar Lebbe Abdul Azeez, served as president of the convention's Ninth Meeting of States Parties in Geneva on 2–4 September 2019. A total of 84 countries attended the meeting—58 States Parties, six signatories, and 20 non-signatories—as well as UN agencies, the International Committee of the Red Cross (ICRC), and the Cluster Munition Coalition (CMC). States Parties reaffirmed their commitment to the convention and condemned “any use of cluster munitions by any actor.”<sup>24</sup>

Grenada hosted a regional workshop on the convention in St. George's on 3–4 March 2020, which representatives from 11 Caribbean Community (CARICOM) states attended.<sup>25</sup> The Philippines hosted a regional workshop on the convention, organized jointly with New Zealand, in Manila on 18–19 June 2019, which representatives from seven non-signatories to the convention attended.<sup>26</sup>

Switzerland's Permanent Representative to the UN in Geneva, Ambassador Félix Baumann, is serving as president of the convention's Second Review Conference to be held in Lausanne on 23–27 November 2020.<sup>27</sup> The UN appears to have received sufficient funds to convene the meeting, but States Parties owed the convention US\$135,300 as of 30 April 2020.<sup>28</sup>

## Convention on Cluster Munitions ratifications by year\*

Year	Number of ratifications
2008	4
2009	22
2010	23
2011	15
2012	10
2013	5
2014	2
2015	7
2016	1
2017	2
2018	2
2019	2
2020	1
<b>Total</b>	<b>96</b>

\*Prior to entry into force, four states ratified upon signing the convention in December 2008: Holy See, Ireland, Norway, and Sierra Leone, while 22 ratified in 2009 and 12 did so in 2010 before 1 August.

- 24 See, Final Report of the Convention on Cluster Munitions Ninth Meeting of States Parties, Geneva, September 2019, [bit.ly/MSPGeneva2019FinalReport](http://bit.ly/MSPGeneva2019FinalReport). Signatories Angola, DRC, Haiti, Nigeria, São Tomé and Príncipe, and Tanzania attended the meeting, while the following non-signatories also participated as observers: Argentina, Azerbaijan, Bangladesh, Bhutan, China, Finland, Maldives, Mongolia, Morocco, Myanmar, Oman, Qatar, Saudi Arabia, Serbia, South Sudan, Thailand, United Arab Emirates, Vanuatu, Vietnam, and Zimbabwe.
- 25 Representatives from non-signatories the Bahamas and Barbados, as well as Saint Lucia attended, which acceded to the convention six months later. Signatories Haiti and Jamaica also attended as did States Parties Antigua and Barbuda, Canada, Guyana, Grenada, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Switzerland, and Trinidad and Tobago.
- 26 Representatives from non-signatories Bhutan, Mongolia, Myanmar, Papua New Guinea, Tuvalu, Vanuatu, and Vietnam attended the meeting as did States Parties Japan, Lao PDR, Switzerland, and the co-hosts.
- 27 See, Final Report of the Convention on Cluster Munitions Ninth Meeting of States Parties, Geneva, 18 September 2019, [bit.ly/MSPGeneva2019FinalReport](http://bit.ly/MSPGeneva2019FinalReport). The first meetings of the Convention on Cluster Munitions were held in States Parties contaminated by cluster munition remnants, such as Lao PDR in 2010, Lebanon in 2011, and Croatia in 2015.
- 28 A total of 54 countries owed funds to the Convention on Cluster Munitions. See, UN Finance Office, Status of Contributions of BWC, CCW, CCM, OTW as of 30 April 2020, [bit.ly/UNStatusOfContributionsApril2020](http://bit.ly/UNStatusOfContributionsApril2020).



Ambassador Baumann leading discussions on the draft Lausanne Action Plan during one of the socially-distanced preparatory meetings held in Geneva.

© Convention on Cluster Munitions Implementation Support Unit, September 2020

On 29 June and 4 September 2020, Ambassador Baumann convened meetings at the UN in Geneva to prepare for the convention's Second Review Conference.<sup>29</sup> As the first multilateral disarmament meetings to be held during the COVID-19 pandemic, each delegation was restricted to one representative to ensure adequate physical distancing. In a significant "first" for the convention on Cluster Munitions, the meetings were also broadcast live on the UN website.

Online workshops and events show how the pandemic is changing practices. In July 2020, the Philippines convened a virtual roundtable on the convention on the sidelines of an Association of Southeast Asian Nations (ASEAN) Defense Ministers Meeting.<sup>30</sup>

The CMC continues its advocacy work in support of the convention's universalization and implementation. In 2020, the CMC has written letters to every state not party to the convention to urge them to ratify or accede to the

convention by the Second Review Conference in November. The CMC has undertaken global actions aimed at condemning the use of cluster munitions in Syria and at promoting the universalization of the convention. The CMC continues to work in close collaboration with the convention's presidency and States Parties as well as the Implementation Support Unit to advance universalization and implementation of the convention.

During the reporting period, the CMC provided small grants to campaigners in 47 countries to support advocacy for the convention's universalization and implementation. CMC member Mines Action Canada (MAC) provided small grants to youth campaigners to assist with universalization and implementation efforts in 10 countries.<sup>31</sup>

No state formally proposed that cluster munitions be added back on to the program of work of the Convention on Conventional Weapons (CCW) at its Meeting of High Contracting Parties in Geneva in November 2019.<sup>32</sup> The 2011 failure to adopt a draft CCW protocol on cluster munitions has left the Convention on Cluster Munitions as the sole international instrument dedicated to ending the suffering caused by cluster munitions.

## UN GENERAL ASSEMBLY RESOLUTION 74/62

Since Croatia first introduced the UN General Assembly (UNGA) resolution promoting the Convention on Cluster Munitions in 2015, in its capacity as president of the convention's First Review Conference, the annual resolution has become a widely accepted barometer for gauging interest in and support for the convention.

The 2019 UNGA resolution highlighted how 2020 is the tenth anniversary of the convention's entry into force and urged states to make progress on the implementation and universalization of the convention ahead of the Second Review Conference.<sup>33</sup>

<sup>29</sup> The June preparatory meeting was attended by 60 States Parties, signatories Cyprus and Nigeria, and eight non-signatories (Argentina, Finland, Kazakhstan, Libya, Myanmar, Serbia, Thailand, and Zimbabwe), in addition to UN agencies, the ICRC, and the CMC. According to the provisional list of participants, 48 States Parties attended the September preparatory meeting as well as two signatories (Cyprus and Nigeria), and eight non-signatories.

<sup>30</sup> Military officers participated from six non-signatories to the convention (Cambodia, Malaysia, Myanmar, Singapore, Thailand, and Vietnam) and signatory Indonesia, as well as State Party Lao PDR.

<sup>31</sup> States Parties Afghanistan and Colombia, signatories DRC and Uganda, and non-signatories Algeria, Argentina, Azerbaijan, Cambodia, and Zimbabwe.

<sup>32</sup> Final Report of the CCW Fifth Review Conference, Geneva, 23 December 2016, [bit.ly/CCW5ReviewFinalReport](http://bit.ly/CCW5ReviewFinalReport); and Final Report of the CCW Meeting of High Contracting Parties, Geneva, 15 November 2019, [bit.ly/CCWMeetingOfParties2019Report](http://bit.ly/CCWMeetingOfParties2019Report).

<sup>33</sup> "Implementation of the Convention on Cluster Munitions," UN General Assembly (UNGA) Resolution 74/62, 12 December 2019, [www.undocs.org/en/A/RES/74/62](http://www.undocs.org/en/A/RES/74/62).

A total of 144 states voted in favor of UNGA Resolution 74/62 on 12 December 2019, including 29 non-signatories to the convention.<sup>34</sup> Russia was the only country that voted against it, after abstaining in 2018.<sup>35</sup>

All 38 states to abstain from the 2019 UNGA resolution are non-signatories to the convention, except signatory Cyprus, which also did not vote in favour of the resolution in 2015–2018.<sup>36</sup>

### UNGA Resolution on the Convention on Cluster Munitions<sup>37</sup>

Year	Resolution	In Favour	Against	Abstained
2015	70/54	139	2	39
2016	71/45	141	2	39
2017	72/54	142	2	36
2018	73/54	144	1	38
2019	74/62	144	1	38

As in previous years, several states not party—including Argentina, Brazil, China, Egypt, Iran, Myanmar, Singapore, South Korea, and the US—explained their vote on the 2019 UNGA resolution, using the occasion to repeat long-held concerns over the convention as well as list their various reasons for not joining it.<sup>38</sup>

Notably, there was no group statement at the 2019 UNGA from Estonia, Finland, Greece, Poland, and Romania explaining their vote and lack of accession to the convention, after the group made a joint statement every year from 2015 to 2018.

## USE OF CLUSTER MUNITIONS

### GLOBAL OVERVIEW

Since the end of World War II, at least 21 governments have used cluster munitions in 40 countries and four other areas. Almost every region of the world has experienced cluster munition use at some point over the past 70 years, including Southeast Asia, Southeast

<sup>34</sup> The non-signatories that voted in favor of UNGA Resolution 74/62 were Algeria, Azerbaijan, Bahamas, Bangladesh, Barbados, Bhutan, Brunei Darussalam, Eritrea, Ethiopia, Gabon, Jordan, Kazakhstan, Kiribati, Kyrgyzstan, Libya, Malaysia, Marshall Islands, Micronesia, Mongolia, Singapore, Solomon Islands, Sudan, Suriname, Thailand, Timor-Leste, Tuvalu, Vanuatu, and Yemen as well as Saint Lucia, which went on to join the convention in 2020.

<sup>35</sup> Russia abstained from the annual UNGA resolution promoting the convention in 2018, after voting against it in 2015–2017. Previously, Zimbabwe voted against the annual UNGA resolution in 2015–2018, but abstained from the vote on the 2019 resolution.

<sup>36</sup> The 38 states that abstained from the vote are: Argentina, Armenia, Bahrain, Belarus, Brazil, China, Cyprus, Egypt, Estonia, Finland, Georgia, Greece, India, Iran, Israel, Kuwait, Latvia, Morocco, Myanmar, Nepal, Oman, Pakistan, Poland, Qatar, Republic of Korea, Romania, Saudi Arabia, Serbia, Syria, Tajikistan, Turkey, Ukraine, United Arab Emirates, United States, Uzbekistan, Venezuela, Vietnam, and Zimbabwe. In November 2019, Cyprus reiterated that it would not ratify the convention until “the abnormal security situation on the island” is resolved. Statement of Cyprus, UNGA First Committee on Disarmament and International Security, New York, 5 November 2019, [bit.ly/CyprusStatementUNGA2019](http://bit.ly/CyprusStatementUNGA2019).

<sup>37</sup> See: “Implementation of the Convention on Cluster Munitions,” UNGA Resolution 74/62, 12 December 2019, [www.undocs.org/en/A/RES/74/62](http://www.undocs.org/en/A/RES/74/62); “Implementation of the Convention on Cluster Munitions,” UNGA Resolution 73/54, 5 December 2018, [www.un.org/en/ga/search/view\\_doc.asp?symbol=A/73/PV.45](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/73/PV.45); “Implementation of the Convention on Cluster Munitions,” UNGA Resolution 72/54, 4 December 2017, [www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/72/54](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/72/54); “Implementation of the Convention on Cluster Munitions,” UNGA Resolution 71/45, 5 December 2016, [bit.ly/UNGAResolution71-45](http://bit.ly/UNGAResolution71-45); and “Implementation of the Convention on Cluster Munitions,” UNGA Resolution 70/54, 7 December 2015, [bit.ly/UNGAResolution70-54](http://bit.ly/UNGAResolution70-54).

<sup>38</sup> Signatory Cyprus also spoke. See, Explanation of vote on draft Resolution A/C.1/L.46, “Implementation of the Convention on Cluster Munitions,” UNGA First Committee on Disarmament and International Security, New York, 5 November 2019, [bit.ly/Nov2019FirstCommitteeUNGA](http://bit.ly/Nov2019FirstCommitteeUNGA).

Europe, the Caucasus, the Middle East and North Africa, Sub-Saharan Africa, and Latin America and the Caribbean.

### Past Use of Cluster Munitions<sup>39</sup>

User state	Locations used
Colombia	Colombia
Eritrea	Ethiopia
Ethiopia	Eritrea
France	Chad, Iraq, Kuwait
Georgia	Georgia, possibly <i>Abkhazia</i>
Iraq	Iran, Iraq
Israel	Egypt, Syria, Lebanon
Libya	Chad, Libya
Morocco	<i>Western Sahara</i> , Mauritania
Netherlands	Former Yugoslavia ( <i>Kosovo</i> , Montenegro, Serbia)
Nigeria	Sierra Leone
Russia	<i>Chechnya</i> , Afghanistan (as USSR), Georgia, Syria
Saudi Arabia	Saudi Arabia, Yemen
South Africa	Admitted past use, but did not specify where
Sudan	Sudan
Syria	Syria
Thailand	Cambodia
Ukraine	Ukraine
United Kingdom	<i>Falklands/Malvinas</i> , Iraq, Kuwait, former Yugoslavia ( <i>Kosovo</i> , Montenegro, Serbia)
United States	Afghanistan, Albania, Bosnia and Herzegovina (BiH), Cambodia, Grenada, Iran, Iraq, Kuwait, Lao PDR, Lebanon, Libya, Saudi Arabia, Sudan, Vietnam, former Yugoslavia ( <i>Kosovo</i> , Montenegro, Serbia), Yemen
Yugoslavia (former Socialist Republic of)	Albania, BiH, Croatia, <i>Kosovo</i>

Note: Other areas are indicated in *italics*; USSR= Union of Soviet Socialist Republics.

Most states that have not joined the convention have never used cluster munitions. Despite rhetoric to the contrary, only Israel, Russia, and the United States (US) are known to be major users *and* producers of cluster munitions.<sup>40</sup>

Article 1 of the Convention on Cluster Munitions contains the convention's core preventive measures designed to eliminate future humanitarian problems, most crucially the absolute ban on the use of cluster munitions. Several past users of cluster munitions, such as France, the Netherlands, South Africa, and the United Kingdom (UK), are States Parties to the convention and have committed to never use cluster munitions under any circumstances.

<sup>39</sup> This accounting of states using cluster munitions is incomplete as cluster munitions have been used in other countries, but the party responsible for the use is not clear. This includes use in Angola, Azerbaijan, Democratic Republic of the Congo (DRC), Mozambique, Myanmar, Somalia, South Sudan, Sri Lanka, Tajikistan, Uganda, and Zambia, as well as in areas such as Nagorno-Karabakh. The Monitor is reviewing an old allegation of use in Liberia in the 1990s.

<sup>40</sup> Nine non-signatories that produce cluster munitions have stated that they have never used cluster munitions (Brazil, China, Egypt, Greece, Pakistan, Poland, Romania, South Korea, and Turkey), while the Monitor has not verified any use of cluster munitions by four other producers (India, Iran, North Korea, and Singapore), which leaves Israel, Russia, and the US as the only countries that both produce and use cluster munitions.

There have been no confirmed reports or allegations of new use of cluster munitions by any State Party since the convention was adopted in 2008.<sup>41</sup>

Cluster munitions have been used in seven non-signatories since the convention entered into force in August 2010: Cambodia (2011), Libya (2011, 2015, and 2019–2020), South Sudan (2014), Sudan (2012 and 2015), Syria (2012–present), Ukraine (2014–2015), and Yemen (2015–2017).<sup>42</sup>

## NEW USE

Cluster munitions were used in Libya and Syria during the reporting period (July 2019–July 2020).

### Use in Syria

Research continues to show that Syrian government forces are primarily responsible for using cluster munitions in the country. There have been at least 686 cluster munition attacks in Syria since July 2012, including at least 11 cluster munition attacks between 1 August 2019 and 31 July 2020. The Monitor reviewed evidence, but could not independently confirm at least two dozen other possible cluster munition attacks in the same period.

Previously, *Cluster Munition Monitor 2019* recorded 38 attacks between July 2018 and July 2019.

During 2019 and the first half of 2020, most cluster munition attacks were recorded in the governorate of Idlib, while a few were recorded in Aleppo governorate. The Syria Network for Human Rights identified four cluster munition attacks in Hama and Idlib governorates during the first half of 2020.<sup>43</sup> All 14 of the country's governorates, except Tartus, have experienced the use of cluster munitions since 2012.

Human Rights Watch (HRW) investigated a cluster munition attack with a ballistic missile using 9N24 submunitions on 1 January 2020 that hit a school in Sarmin, Idlib that killed civilians, including children.<sup>44</sup> HRW also documented attacks on two schools in Idlib city on 25 February 2020 involving the use of 220mm 9M27K-series Uragan cluster munition rockets.<sup>45</sup>

There is strong evidence that Russia stockpiles cluster munitions in Syria at its airbase at Hmeymim, southeast of Latakia city. There is also evidence that Russia has used cluster munitions in Syria since October 2015. At a minimum, Russia has directly participated in supporting Syrian government attacks using cluster munitions on opposition-held areas.<sup>46</sup> Russia has not explicitly denied its involvement in using cluster munitions in Syria, but

41 However, State Party Lebanon reports that it has experienced the use of cluster munitions from the conflict in Syria. According to its clearance deadline extension request, northeast Lebanon became contaminated by cluster munitions used when fighting in Syria spilled over the border into Lebanon between 2014 and 2017. Lebanon Convention on Cluster Munitions Article 4 Extension Request, December 2019, [bit.ly/LebanonArt4ExtRequestCCMDec2019](http://bit.ly/LebanonArt4ExtRequestCCMDec2019).

42 There was also an allegation that a weapon which appeared to meet the criteria of a cluster munition was used in non-signatory Myanmar in early 2013.

43 Syria Network for Human Rights, "Notable human rights violations in Syria in the first half of 2019: Nearly 43 cluster munition attacks," 3 July 2020, [www.sn4hr.org/blog/2020/07/03/55155/](http://www.sn4hr.org/blog/2020/07/03/55155/).

44 HRW, "Syria: Cluster Munition Attack on School," 22 January 2020, [www.hrw.org/news/2020/01/22/syria-cluster-munition-attack-school](http://www.hrw.org/news/2020/01/22/syria-cluster-munition-attack-school).

45 Forthcoming HRW report.

46 Russian and Syrian government forces use many of the same aircraft and weapons and frequently carry out attacks jointly. However, Russia is the only force in Syria to operate Sukhoi SU-25 and SU-34 fighter-ground attack jets that deliver RBK-series cluster bombs. HRW, Amnesty International, and others have compiled credible evidence, including videos and photographs, documenting SU-25 and SU-34 jets near or involved in attacks near sites when cluster munitions were used. Amnesty International, "Syria: Russia's shameful failure to acknowledge civilian killings," 23 December 2015, [bit.ly/AmnestyInternationalDec2015](http://bit.ly/AmnestyInternationalDec2015); and HRW, "Russia/Syria: Daily Cluster Munition Attacks," 8 February 2016, [www.hrw.org/news/2016/02/08/russia/syria-daily-cluster-munition-attacks](http://www.hrw.org/news/2016/02/08/russia/syria-daily-cluster-munition-attacks).

claims that cluster munitions have been used in accordance with international humanitarian law and not indiscriminately.<sup>47</sup>

There is no evidence to indicate that the US or its partners have used cluster munitions in the coalition Operation Inherent Resolve against the non-state armed group Islamic State in Syria and Iraq, which began in 2014.<sup>48</sup>

With two exceptions, all the cluster munitions used in Syria since 2012 were manufactured by the Soviet Union or its successor Russia.<sup>49</sup>

The Syrian military has denied possessing or using cluster munitions, but rarely responds to or comments on new use of cluster munitions.<sup>50</sup> Russia has not explicitly denied its stockpiling of cluster munitions in Syria nor its involvement in use.<sup>51</sup>

The civilian harm caused by the use of cluster munitions in Syria has attracted widespread media coverage, public outcry, and condemnations from more than 145 countries.<sup>52</sup> At the Ninth Meeting of States Parties in Geneva, in September 2019, States Parties to the convention “expressed their strong concern regarding recent incidents and evidence of use of cluster munitions in different parts of the world and condemned any use by any actor, in conformity with article 21.”<sup>53</sup> During the course of the meeting, at least nine countries and the European Union (EU) publicly condemned or expressed grave concern over new use of cluster munitions, with most citing Syria as the key country of concern.<sup>54</sup>

<sup>47</sup> In 2016, Russia provided HRW with a three-page position paper on the use of cluster munitions in Syria that claimed “no cases of indiscriminate use of air weapons have been registered so far in the course of the counter-terrorist operation in Syria,” and concluded that “the question of the involvement of the Russian military personnel in the cases of indiscriminate CMs [cluster munition] use in Syria [is] totally inappropriate.” “Russia’s Position on the Use of Cluster Munitions in Syria,” Position Paper annexed to letter to HRW from Sergey Lavrov, Minister of Foreign Affairs of the Russian Federation, 9 December 2016, [bit.ly/RussiaLetterToHRW2016](http://bit.ly/RussiaLetterToHRW2016). In the cover letter Lavrov states, “I expect our paper to be taken into account during the preparation of future Human Rights Watch reports on the activities of the Russian military personnel in the fight against terrorism in Syria.”

<sup>48</sup> In September 2015, the US Department of Defense listed eight Operation Inherent Resolve coalition members conducting US-led airstrikes in Iraq: Convention on Cluster Munitions non-signatory Jordan, and States Parties Australia, Canada, Denmark, France, the Netherlands, and the United Kingdom. It listed nine coalition nations participating in US-led airstrikes in Syria: Convention on Cluster Munitions non-signatories Bahrain, Jordan, Saudi Arabia, Turkey, and the United Arab Emirates, as well as States Parties Australia, Canada, and France. Department of Defense, “Airstrikes Hit ISIL Terrorists in Syria, Iraq,” 30 September 2015, [bit.ly/USDefenseDept30Sept2015](http://bit.ly/USDefenseDept30Sept2015). In 2016, a spokesperson for the US Air Force’s Central Command told the *Washington Post*, “We have not employed cluster munitions in Operation Inherent Resolve. This includes both U.S. and coalition aircraft.” Email from Thomas Gibbons-Neff, Writer, *Washington Post*, 27 July 2016. See also, Thomas Gibbons-Neff, “Despite denial, ‘growing evidence’ Russia is using cluster bombs in Syria, report says,” *Washington Post*, 28 July 2016, [bit.ly/WashingtonPost28July2016](http://bit.ly/WashingtonPost28July2016).

<sup>49</sup> Cluster munition rockets manufactured in Egypt have also been used in Syria, while the Islamic State has used cluster munitions rockets of unknown origin containing a DPICM-type submunition called “ZP-39” in Syria.

<sup>50</sup> According to the state-run *Syrian Arab News Agency* (SANA), “the General Command of the Army and the Armed Forces stressed on [15 October 2012] that the misleading media outlets have recently published untrue news claiming the Syrian Arab Army has been using cluster bombs against terrorists.” According to SANA, “the General [in] Command said the Syrian Army does not possess such bombs.” “Syria denies using cluster bombs,” CNN, 16 October 2012, [www.edition.cnn.com/2012/10/15/world/meast/syria-civil-war/](http://www.edition.cnn.com/2012/10/15/world/meast/syria-civil-war/). In March 2013, Syrian diplomatic representatives denied the evidence of Syrian cluster bomb use. Letter from Firas al Rashidi, Charge d’affaires ad interim, Embassy of the Syrian Arab Republic to Japan, to the Japanese Campaign to Ban Landmines, 7 March 2013.

<sup>51</sup> “Russia’s Position on the Use of Cluster Munitions in Syria,” Position Paper annexed to letter to HRW from Sergey Lavrov, Minister of Foreign Affairs of the Russian Federation, 9 December 2016, [bit.ly/RussiaLetterToHRW2016](http://bit.ly/RussiaLetterToHRW2016).

<sup>52</sup> More than 145 countries including 53 non-signatories to the convention have condemned the use of cluster munitions in Syria via national statements and/or by endorsing resolutions or joint statements.

<sup>53</sup> See, Final Report of the Convention on Cluster Munitions Ninth Meeting of States Parties, Geneva, 18 September 2019, para. 27, [bit.ly/MSPGeneva2019FinalReport](http://bit.ly/MSPGeneva2019FinalReport).

<sup>54</sup> Australia, Belgium, Chile, Germany, the Netherlands, New Zealand, Nigeria, Slovenia, and Sweden.

## Types of Cluster Munitions used in Syria<sup>55</sup>

Type	Cluster munition name	Number of submunitions	Producer
Bomb	RBK-250 PTAB-2.5M	42	USSR
	RBK 250-275 AO-1SCh	150	USSR
	RBK-500 AO-2.5RT/RTM	108	Russia/USSR
	RBK-500 PTAB-1M	268	USSR
	RBK-500 ShOAB-0.5	565	USSR
	RBK-500 SPBE	15	Russia
Rocket	<i>Uragan</i> (9M27K-series)	30	Russia
	<i>Smerch</i> (9M55K)	72	Russia
	SAKR	56 or 72	Egypt
Missile	9M79 <i>Tochka</i> ballistic missile with 9N123K warhead containing 9N24 submunitions	50	Russia/USSR
Projectile	3-O-8	14	Russia/USSR
Dispenser	BKF AO-2.5RT	96	USSR
	BKF PTAB-2.5KO	12	USSR

Note: USSR= Union of Soviet Socialist Republics.

Since May 2013, the UN General Assembly (UNGA) has adopted eight resolutions condemning the use of cluster munitions in Syria, including Resolution 74/169 on 18 December 2019, which received 106 votes in favor, 15 against and 57 abstentions.<sup>56</sup> Since 2014, states have adopted more than 15 Human Rights Council (HRC) resolutions condemning the use of cluster munitions in Syria, while the UN Commission of Inquiry on Syria has issued numerous reports detailing cluster munition attacks.<sup>57</sup>

### Use in Libya

During 2019, there were several instances or allegations of cluster munition use in Libya by forces affiliated with the Libyan National Army (LNA). According to HRW, LNA forces used cluster munitions in an airstrike on Tripoli on or around 2 December 2019.<sup>58</sup>

An investigation by the UN Support Mission in Libya (UNSMIL) into a 15–16 August 2019 attack on Zuwarah Airport, that caused two casualties, found RBK-500 cluster munition remnants at the site. LNA forces loyal to General Khalifa Haftar took responsibility for conducting the strike and possess RBK-500 cluster bombs.<sup>59</sup>

<sup>55</sup> At the outset in 2012, markings on cluster munitions used indicated they were produced in the 1970s and 1980s; while since September 2015, most of the cluster munitions used in Syria bear production dates from 1989 into the early 1990s. Most RBK-500 SPBE cluster bombs were manufactured in 1990 and 1991.

<sup>56</sup> "Situation of human rights in the Syrian Arab Republic," UNGA Resolution 74/169, 18 December 2019, [www.undocs.org/en/A/RES/74/169](http://www.undocs.org/en/A/RES/74/169).

<sup>57</sup> "Report of the Independent International Commission of Inquiry on the Syrian Arab Republic," HRC Report 43/57, 28 January 2020, [www.undocs.org/A/HRC/43/57](http://www.undocs.org/A/HRC/43/57). See also, "They have erased the dreams of my children: children's rights in the Syrian Arab Republic," HRC Report 43/CRP.6, 13 January 2020, [bit.ly/SyriaChildRightsHRC13Jan2020](http://bit.ly/SyriaChildRightsHRC13Jan2020); and "The siege and recapture of eastern Ghouta," HRC Report 38/CRP.3, 20 June 2018, [bit.ly/EasternGhoutaHRC20June2018](http://bit.ly/EasternGhoutaHRC20June2018).

<sup>58</sup> HRW visited the site of the attack in December 2019 and found remnants of two RBK-250 PTAB 2.5M cluster bombs, apparently used in the attack. There were no reports of casualties and the area was not known to be contaminated by cluster munitions before the attack. HRW, "Libya: Banned Cluster Munitions Used in Tripoli," 20 February 2020, [www.hrw.org/news/2020/02/13/libya-banned-cluster-munitions-used-tripoli](http://www.hrw.org/news/2020/02/13/libya-banned-cluster-munitions-used-tripoli).

<sup>59</sup> UN Security Council (UNSC), "Final report of the Panel of Experts on Libya established pursuant to Security Council resolution 1973 (2011)," S/2019/914, 9 December 2019, Annex 17, [www.undocs.org/S/2019/914](http://www.undocs.org/S/2019/914).

Previously, LNA forces were accused of using cluster bombs in May 2019 in attacks in and around Tripoli.<sup>60</sup> In 2015–2018, there were allegations and some evidence of new use of cluster munitions in Libya but the Monitor was not able to conclusively attribute responsibility to LNA forces.<sup>61</sup>

## ALLEGATIONS OF USE

There were two allegations of new use during the reporting period, one involving the Saudi Arabia-led coalition in Yemen in June 2020 and the other regarding the contested region of Kashmir on the India-Pakistan border. Cluster Munition Monitor could not conclusively determine if cluster munitions were used in either case. None of these countries have joined the Convention on Cluster Munitions.

Pakistan alleged that India used cluster munitions in the contested region of Kashmir on 30–31 July 2019 during an attack that reportedly killed two civilians, including a four-year-old boy, and wounded 11 others.<sup>62</sup> The Pakistan army released photographs showing DPICM-type submunitions from artillery-delivered cluster munitions, while Pakistan's president, foreign minister, and other high-ranking officials condemned the alleged cluster munition use for violating international law.<sup>63</sup>

India denied using cluster munitions in the attack. The Indian army issued a statement asserting that "Allegations of firing of cluster bombs by India is yet another Pakistan's lie and deception."<sup>64</sup>

Yemen's Ministry of Human Rights issued a statement condemning a Saudi Arabia-led military coalition for allegedly using cluster bombs in Sana'a governorate in June 2020, reportedly injuring civilians.<sup>65</sup> Previously, in 2015–2017, the Saudi Arabia-led coalition conducting a military operation against Ansar Allah forces, known as the Houthi armed group

<sup>60</sup> According to a 19 June 2019 press briefing by the Faiez Serraj-aligned Volcano of Rage operations room (Burkan Alghadab), which coordinates the fight against the Haftar forces. Sami Zaptia, "Tripoli forces claim successes and accuse Haftar of using cluster bombs and internationally banned phosphorus bombs," *Libya Herald*, 20 June 2019, [bit.ly/LibyaHerald20June2019](http://bit.ly/LibyaHerald20June2019).

<sup>61</sup> Arnaud Delalande, "Libyan CBU monitoring," AeroHistory blog, undated, [www.aerohisto.blogspot.com/p/libyan-cbu.html](http://www.aerohisto.blogspot.com/p/libyan-cbu.html).

<sup>62</sup> Pakistan Armed Forces press release, "Indian Army uses cluster ammunition along LOC deliberately targeting Civilian population," 3 August 2019, [www.ispr.gov.pk/press-release-detail.php?id=5387](http://www.ispr.gov.pk/press-release-detail.php?id=5387).

<sup>63</sup> Pakistan's President Imran Khan condemned India's "use of cluster munitions in violation of int humanitarian law" via Twitter: see Khan, Imran (ImranKhanPTI), "I condemn India's attack across LOC on innocent civilians & it's use of cluster munitions in violation of int humanitarian law and it's own commitments under the 1983 Convention on Certain Conventional Weapons. UNSC must take note of this international threat to peace & security," 4 August 2019, 11:34 UTC, Tweet, [bit.ly/ImranKhanPTI4August2019](http://bit.ly/ImranKhanPTI4August2019). Pakistan's Minister of Foreign Affairs Shah Mehmood Qureshi tweeted photographs of alleged cluster munition victims, see Qureshi, Shah Mehmood (SMQureshiPTI), "Strongly condemn the blatant use of cluster ammunition by Indian Security Forces targeting innocent civilians along the Line Of Control. This is clear violation of the Geneva Convention & International Laws," 3 August 2019, 12:30 UTC, Tweet, [bit.ly/SMQureshiPTI3August2019](http://bit.ly/SMQureshiPTI3August2019). The chief spokesman for Pakistan's armed forces, General Asif Ghafoor, also tweeted: see spokesperson of Pakistan Armed Forces (OfficialDGI SPR), "Use of cluster bombs by Indian Army violating international conventions is condemnable. No weapon can suppress determination of Kashmiris to get their right of self determination. Kashmir runs in blood of every Pakistani. Indigenous freedom struggle of Kashmiris shall succeed, IA," 3 August 2019, 12:36 UTC, Tweet, [bit.ly/OfficialDGI SPR3August2019](http://bit.ly/OfficialDGI SPR3August2019).

<sup>64</sup> "Indian Army rejects Pakistan's allegations of using cluster bombs along LoC," *India Today*, 3 August 2019, [bit.ly/IndiaToday3August2019](http://bit.ly/IndiaToday3August2019).

<sup>65</sup> "Yemen Denounces Saudi-Led Coalition's Use of Cluster Bombs in Sana'a," *Tasmin News Agency* (Tehran), 11 June 2020, [bit.ly/TasminNewsAgency11June2020](http://bit.ly/TasminNewsAgency11June2020).



in Yemen, used air- and ground-delivered cluster munitions, causing civilian harm.<sup>66</sup> There is no evidence that the Saudi coalition has used cluster munitions in Yemen since then, but, additional cluster munition attacks may have gone unrecorded.

Such allegations and denials demonstrate the growing power of the stigma against cluster munitions, which the convention is creating. The 2019 UNGA resolution 74/62 expressed strong concern regarding the number of allegations, reports, or documented evidence of the use of cluster munitions in different parts of the world, related civilian casualties, and other consequences that impede the achievement of sustainable development.

### Use by non-state armed groups

Due to the relative complexity of cluster munitions and their delivery systems, very few non-state armed groups have used them. In the past, use of cluster munitions by non-state armed groups has been recorded in Afghanistan (by the Northern Alliance), Bosnia and Herzegovina (BiH) (by Croat and Serb militias), Croatia (by a Serb militia), Israel (by Hezbollah), Syria (by Islamic State), and Ukraine (by Russian-backed separatists).

## UNILATERAL RESTRICTIONS ON USE

Several states outside the Convention on Cluster Munitions have imposed certain restrictions on using cluster munitions in the future.

The US maintains that cluster munitions have military utility, but it has not used them since 2003 in Iraq, with the exception of a single attack in Yemen in 2009. However, in 2017, the US revoked a decade-old Department of Defense directive requiring it to no longer use cluster munitions that result in more than 1% unexploded ordnance (UXO) after 2018.

Estonia, Finland, Poland, and Romania have committed not to use cluster munitions outside of their own territory. Thailand claims to have removed cluster munitions from its operational stocks.

## PRODUCTION OF CLUSTER MUNITIONS

Historically, at least 34 states developed or produced more than 200 types of cluster munitions, of which 18 countries ceased manufacturing them prior to or upon joining the Convention on Cluster Munitions.<sup>67</sup>

### PRODUCERS

There were no changes during the reporting period to the list of 16 countries that produce cluster munitions and have yet to commit to never produce them in the future, as listed in the following table. None of these states are party to the Convention on Cluster Munitions.

It is unclear if all these countries produced cluster munitions in 2019 and/or the first half of 2020 because of a lack of transparency and available data. However, evidence shows that

<sup>66</sup> The last recorded cluster munition use in Yemen was in February 2017, when the Saudi-led coalition fired Brazilian-made ASTROS II cluster munition rockets in Saada governorate on at least three locations, according to investigations by human rights organizations. See HRW, “Yemen: Brazil-Made Cluster Munitions Harm Civilians,” 23 December 2016, [www.hrw.org/news/2016/12/23/yemen-brazil-made-cluster-munitions-harm-civilians](http://www.hrw.org/news/2016/12/23/yemen-brazil-made-cluster-munitions-harm-civilians); Amnesty International, “Yemen: Saudi Arabia-led coalition uses banned Brazilian cluster munitions on residential areas,” 9 March 2017, [bit.ly/AmnestyYemen9Mar2017](http://bit.ly/AmnestyYemen9Mar2017); and HRW, “Yemen: Cluster Munitions Wound Children,” 17 March 2017, [www.hrw.org/news/2017/03/17/yemen-cluster-munitions-wound-children](http://www.hrw.org/news/2017/03/17/yemen-cluster-munitions-wound-children).

<sup>67</sup> The loading, assembling, and packaging of submunitions and carrier munitions into a condition suitable for storage or use in combat is considered production of cluster munitions. Modifying the original manufacturers’ delivery configuration for improved combat performance is also considered a form of production.

China and Russia are actively researching and developing new types of cluster munitions in 2020:

- On 17 August 2020, China's state broadcaster, China Central Television (CCTV), reported on the latest cluster munition in development.<sup>68</sup> Tianlei 500, which translates as Sky Thunder, is a 500kg air-to-surface cluster munition capable of dispensing 240 submunitions at a range of 60km from the launching point. The China North Industries Group (Norinco) has reportedly "designed and made" the Tianlei 500, which a senior engineer at the company told CCTV can carry six different types of submunitions "to attack different targets."
- In July 2020, NPO Splav, which is part of Russian state-owned arms company Rostec, displayed a new generation of multi-barrel rocket launchers at its refurbished rocket assembly facility in Tula, south of Moscow.<sup>69</sup> Photographs from the event show 9M55K 300mm cluster munition rockets as well as dignitaries handling 9N235 fragmentation submunitions made for the Tornado-S system, a modernized version of the BM-30 Smerch rocket.<sup>70</sup>

Singapore's only cluster munition manufacturer, Singapore Technologies Engineering, announced in 2015 that it no longer produces cluster munitions, stating: "As a responsible military technology manufacturer we do not design, produce and sell anti-personnel mines and cluster munitions and any related key components."<sup>71</sup>

Greece, Poland, Romania, Singapore, Turkey, and the United States (US) have indicated no active production, but the Monitor will continue to list them as producers until they commit to never produce cluster munitions in the future.<sup>72</sup>

### Cluster munition producers

Brazil	Korea, South
China	Pakistan
Egypt	Poland
Greece	Romania
India	Russia
Iran	Singapore
Israel	Turkey
Korea, North	United States

## FORMER PRODUCERS

Under Article 1(1)(b) of the Convention on Cluster Munitions, States Parties undertake to never develop, produce, or acquire cluster munitions. Since the convention took effect in August 2010, there have been no confirmed instances of new production of cluster munitions by any State Party.

<sup>68</sup> CCTV-7, reported in: Kristin Huang, "Details of the Tianlei 500 were released on state broadcaster CCTV," *South China Morning Post*, 17 August 2020, [bit.ly/SouthChinaMorningPost17August2020](https://bit.ly/SouthChinaMorningPost17August2020).

<sup>69</sup> "Sergey Chemezov and Alexey Dyumin visited a new workshop at NPO Splav," *TulaNews*, 24 July 2020, [www.newstula.ru/fn\\_587460.html](http://www.newstula.ru/fn_587460.html); and "Russia cluster munition production – questions + media coverage JULY 2020," *TulaTV*, 25 July 2020, [bit.ly/TulaTV25July2020](https://bit.ly/TulaTV25July2020).

<sup>70</sup> According to Rostec, President Vladimir Putin reportedly set an objective in 2016 for the company to use only Russian components in the modernized multi-launch rocket systems. Rostec, "The New Rocket System Passes Official Tests," 25 January 2017, [www.rostec.ru/en/news/4519813/](http://www.rostec.ru/en/news/4519813/).

<sup>71</sup> See Singapore Technologies Engineering website, [www.stengg.com/en](http://www.stengg.com/en); see also, PAX, "Singapore Technologies Engineering stops production of cluster munitions," 19 November 2015, [bit.ly/StopExplosiveSTE2015](https://bit.ly/StopExplosiveSTE2015); and Local Authority Pension Fund Forum, "ST Engineering Quits Cluster Munitions," 18 November 2015. The company's president said the decision came about in part because "we often get asked by the investment community [about] our stand on cluster munitions." Letter to PAX from Tan Pheng Hock, President and Chief Executive Officer, Singapore Technologies Engineering Ltd, 11 November 2015.

<sup>72</sup> For example, Greece has not formally committed to never produce cluster munitions, but, in 2011, a Ministry of Foreign Affairs official claimed "the last production of cluster munitions in Greece was in 2001." Email from Yannis Mallikourtis, Permanent Mission of Greece to the UN in Geneva, 14 June 2011.

Eighteen states have ceased the production of cluster munitions, as shown in the following table. There were no changes to this list during the reporting period. All former producers are now States Parties to the Convention on Cluster Munitions except non-signatory Argentina, which has committed not to produce cluster munitions in the future.

Several States Parties have provided information on the conversion or decommissioning of production facilities in their Article 7 transparency reports, including Croatia, France, Japan, Slovakia, Sweden, and Switzerland.<sup>73</sup>

In South Africa, Rheinmetall Denel Munition has not responded to Cluster Munition Monitor's 2018 request to clarify if it produced cluster munitions in 2008–2012.<sup>74</sup> The Monitor sought comment after South Africa's initial transparency report stated in regard to the decommissioning of production facilities: "None. Production ceased in 2012 at Rheinmetall, denel."<sup>75</sup>

### Former producers of cluster munitions

Argentina	Italy
Australia	Japan
Belgium	Netherlands
Bosnia and Herzegovina	Slovakia
Chile	South Africa
Croatia	Spain
France	Sweden
Germany	Switzerland
Iraq	United Kingdom

## TRANSFER OF CLUSTER MUNITIONS

Since joining the Convention on Cluster Munitions, no State Party is known to have transferred cluster munitions other than for the purposes of stockpile destruction or to retain them for the purposes of research and training in the detection and clearance of cluster munition remnants, as permitted by the convention.<sup>76</sup>

There were no recorded exports or imports of cluster munitions by any states during the reporting period.

The true scope of the global trade in cluster munitions is difficult to ascertain due to the overall lack of transparency on arms transfers. Despite this challenge, the Monitor has identified at least 15 countries that have in the past transferred more than 50 types of cluster munitions to at least 60 other countries.<sup>77</sup>

While the historical record is incomplete and there are large variations in publicly available information, the United States (US) was probably the world's leading exporter

<sup>73</sup> Belgium, Germany, Italy, the Netherlands, Spain, and the UK did not report on the conversion or decommissioning of production facilities, most likely because production of cluster munitions ceased before they became States Parties to the convention. BiH, which inherited some of the production capacity of the former Yugoslavia, has declared, "There are no production facilities for [cluster munitions] in Bosnia and Herzegovina." BiH Convention on Cluster Munitions Article 7 Report, Form E, 20 August 2011, [bit.ly/BiHCCMArticle7Report2011](http://bit.ly/BiHCCMArticle7Report2011).

<sup>74</sup> Letter from Cluster Munition Monitor to Rheinmetall Denel Munition (Pty) Ltd., 6 July 2018. German company Rheinmetall Defence acquired four Denel divisions in 2008 and is the majority owner of Rheinmetall Denel Munition (Pty) Ltd. in South Africa.

<sup>75</sup> South Africa Convention on Cluster Munitions Article 7 Report, Form E, 8 September 2017, [bit.ly/SouthAfricaCCMArticle7Report2017](http://bit.ly/SouthAfricaCCMArticle7Report2017).

<sup>76</sup> States Parties Chile, France, Germany, Moldova, Slovakia, Spain, and the UK exported cluster munitions before they adopted the Convention on Cluster Munitions. At least 11 States Parties have transferred cluster munition stocks to other countries for the purposes of destruction, including Austria, Belgium, Canada, Denmark, Germany, Japan, the Netherlands, Slovenia, Sweden, Switzerland, and the UK.

<sup>77</sup> There is no comprehensive accounting available of global transfers of cluster munitions, but at least seven States Parties exported them in the past (Chile, France, Germany, Moldova, Slovakia, Spain, and the UK), in addition to exports by non-signatories Brazil, Egypt, Israel, Russia, South Korea, Turkey, the US, and then-Yugoslavia.

because it transferred hundreds of thousands of cluster munitions containing tens of millions of submunitions to at least 30 countries and other areas.<sup>78</sup>

Cluster munitions of Russian/Soviet origin are reported to be in the stockpiles of at least 36 states, including countries that inherited stocks after the dissolution of the Soviet Union.<sup>79</sup> The full extent of China's exports of cluster munitions is not known, but unexploded submunitions of Chinese origin have been found in Iraq, Israel, Lebanon, and Sudan.

Non-signatories Brazil, Israel, South Korea, Turkey, and the US are known to have exported cluster munitions since 2000. Non-signatories Georgia, India, Oman, Pakistan, Saudi Arabia, Singapore, South Korea, Taiwan, Turkey, and the United Arab Emirates (UAE) have imported cluster munitions since 2005.

At least two non-signatories have enacted a partial or complete export moratorium: Singapore and the US.

## STOCKPILES OF CLUSTER MUNITIONS AND THEIR DESTRUCTION

### GLOBAL STOCKPILES

The Monitor estimates that prior to the start of the global effort to ban cluster munitions, 94 countries stockpiled millions of cluster munitions containing more than one billion submunitions, as shown in the following table.<sup>80</sup>

The Monitor has added the Philippines to its list of former stockpilers after the country reported in October 2019 that its small stockpile of cluster munitions was destroyed in 2011.<sup>81</sup>

### Stockpiles possessed by States Parties

In the past, the convention's States Parties stockpiled nearly 1.5 million cluster munitions containing more than 179 million submunitions. At least 39 countries—36 States Parties, two signatories, and one non-signatory—that once possessed cluster munitions stocks have now destroyed them, as detailed in the following section on stockpile destruction.

Four States Parties have reported a collective total of 11,274 stockpiled cluster munitions and 733,243 submunitions that they are in the process of destroying.

<sup>78</sup> Recipients of US exports include Argentina, Australia, Bahrain, Belgium, Canada, Colombia, Egypt, Denmark, France, Germany, Greece, Honduras, India, Indonesia, Israel, Italy, Japan, Jordan, Morocco, the Netherlands, Norway, Oman, Pakistan, Saudi Arabia, South Korea, Spain, Thailand, Turkey, the UAE, and the UK, as well as Taiwan.

<sup>79</sup> Algeria, Angola, Azerbaijan, Belarus, Bulgaria, Republic of the Congo, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Egypt, Hungary, Georgia, Guinea, Guinea-Bissau, India, Iran, Iraq, Kazakhstan, Kuwait, Libya, Moldova, Mongolia, Mozambique, North Korea, North Macedonia, Peru, Poland, Romania, Slovakia, Syria, Turkmenistan, Uganda, Ukraine, Uzbekistan, and Yemen. In addition, Soviet cluster munition remnants have been identified in South Sudan and Sudan.

<sup>80</sup> The number of countries that have stockpiled cluster munitions has increased significantly since 2002, when HRW provided the first list identifying 56 states that stockpiled cluster munitions. This is largely due to new information disclosed by States Parties under the Convention on Cluster Munitions. HRW, "Memorandum to CCW Delegates: A Global Overview of Explosive Submunitions," 20 May 2002.

<sup>81</sup> The Philippines reported that it destroyed 114 "81mm cluster bombs" by open detonation at a location in Cebu on 7 May 2011. Convention on Cluster Munitions Article 7 Report, Form B, Part II (2 and 4), 5 December 2019, [bit.ly/PhilippinesCCMArticle7Report2019](http://bit.ly/PhilippinesCCMArticle7Report2019).

Countries that stockpiled cluster munitions<sup>82</sup>

States Parties	Signatories	Non-signatories	
Afghanistan	Angola	<b>Algeria</b>	<b>United States</b>
Austria	Cent. African Rep.	Argentina	<b>Uzbekistan</b>
Belgium	<b>Cyprus</b>	<b>Azerbaijan</b>	<b>Venezuela</b>
Bosnia and Herzegovina	<b>Indonesia</b>	<b>Bahrain</b>	<b>Yemen</b>
Botswana	<b>Nigeria</b>	<b>Belarus</b>	<b>Zimbabwe</b>
<b>Bulgaria</b>		<b>Brazil</b>	
Cameroon		<b>Cambodia</b>	
Canada		<b>China</b>	
Chile		<b>Egypt</b>	
Colombia		<b>Eritrea</b>	
Congo, Rep. of		<b>Estonia</b>	
Côte d'Ivoire		<b>Ethiopia</b>	
Croatia		<b>Finland</b>	
Cuba		<b>Georgia</b>	
Czech Republic		<b>Greece</b>	
Denmark		<b>India</b>	
Ecuador		<b>Iran</b>	
France		<b>Israel</b>	
Germany		<b>Jordan</b>	
<b>Guinea</b>		<b>Kazakhstan</b>	
<b>Guinea-Bissau</b>		<b>Korea, North</b>	
Honduras		<b>Korea, South</b>	
Hungary		<b>Kuwait</b>	
Iraq		<b>Libya</b>	
Italy		<b>Mongolia</b>	
Japan		<b>Morocco</b>	
Moldova		<b>Oman</b>	
Montenegro		<b>Pakistan</b>	
Mozambique		<b>Poland</b>	
Netherlands		<b>Qatar</b>	
North Macedonia		<b>Romania</b>	
Norway		<b>Russia</b>	
<b>Peru</b>		<b>Saudi Arabia</b>	
Philippines		<b>Serbia</b>	
Portugal		<b>Singapore</b>	
<b>Slovakia</b>		<b>Sudan</b>	
Slovenia		<b>Syria</b>	
<b>South Africa</b>		<b>Thailand</b>	
Spain		<b>Turkey</b>	
Sweden		<b>Turkmenistan</b>	
Switzerland		<b>Ukraine</b>	
United Kingdom		<b>UAE</b>	
<b>42 (6 current)</b>	<b>5 (3 current)</b>	<b>47 (46 current)</b>	

Note: Countries in **bold** still possess stockpiles.

<sup>82</sup> This information is drawn from Cluster Munition Monitor ban policy country profiles, which in turn use information provided by states in their Article 7 transparency reports as well as statements and other sources.

## Cluster munitions held by States Parties still to complete stockpile destruction (as of 31 December 2019)<sup>83</sup>

State Party (deadline)	Quantity of cluster munitions	Quantity of submunitions
Bulgaria (April 2021)	6,862	190,566
Peru (March 2021)	1,847	152,215
Slovakia (January 2024)	1,080	290,997
South Africa (November 2023)	1,485	99,465
<b>Total</b>	<b>11,274</b>	<b>733,243</b>

The status of cluster munition stocks held by Guinea and Guinea-Bissau is unclear:

- Guinea has imported cluster munitions in the past and may possess them, but still has not provided its transparency report for the convention, which was due in September 2015.<sup>84</sup> Its stockpile destruction deadline is 1 April 2023.
- Guinea-Bissau has reported that it possesses cluster munitions, but a January 2020 review of storage facilities by technical experts did not identify any stocks.<sup>85</sup> Its stockpile destruction deadline was 1 May 2019.

Guinea and Guinea-Bissau must clarify if they knowingly possess cluster munitions.

### Stockpiles possessed by signatories

At least three signatories to the Convention on Cluster Munitions stockpile cluster munitions:

- Cyprus transferred 3,760 4.2-inch OF projectiles containing 2,559 M20G submunitions to Bulgaria in 2014 for the purposes of destruction, according to Bulgaria's 2017 transparency report for the convention.<sup>86</sup> In 2018, private company EXPAL Bulgaria destroyed 2,416 of the projectiles, while the rest (1,344 4.2-inch OF projectiles) were destroyed in August 2019.<sup>87</sup> It is unclear if this means Cyprus has completed the destruction of all its stockpiled cluster munitions as it has never made a public statement on the matter nor provided a voluntary transparency report for the convention.
- Indonesia has acknowledged that it possesses cluster munitions, but has not shared any information on the types and quantities stockpiled or indicated if it has a plan to destroy them.

<sup>83</sup> This table reflects the total amount of cluster munitions declared by these States Parties, while a subsequent table details the amount of cluster munitions they have destroyed to date.

<sup>84</sup> Moldova has reported that it transferred 860 9M27K cluster munition rockets, each containing 30 fragmentation submunitions, to Guinea in the year 2000 for use in its 220mm Uragan multi-barrel rocket launchers. Submission of the Republic of Moldova, UN Register of Conventional Arms, Report for calendar year 2000, 30 May 2001.

<sup>85</sup> A January 2020 assessment visit by ammunition management experts from the Geneva International Centre for Humanitarian Demining (GICHD) reported that their inspection of storage facilities did not identify any cluster munitions. GICHD Report, Project Number 91023, "To assist the Guinea-Bissau authorities in the identification of suspected cluster munitions," 11–17 January 2020.

<sup>86</sup> Bulgaria Convention on Cluster Munitions Article 7 Report, Form B, 29 June 2017, [bit.ly/BulgariaCCMArticle7Report2017](http://bit.ly/BulgariaCCMArticle7Report2017).

<sup>87</sup> Bulgaria Convention on Cluster Munitions Article 7 Report, Form B, 30 April 2019, [bit.ly/BulgariaCCMArticle7Report2019](http://bit.ly/BulgariaCCMArticle7Report2019); and Bulgaria Convention on Cluster Munitions Article 7 Report, Form B, 25 April 2020, [bit.ly/BulgariaCCMArticle7Report2020](http://bit.ly/BulgariaCCMArticle7Report2020). The Greek-made GRM-20 4.2-inch (107mm) mortar system uses these projectiles, each of which contain 20 submunitions.

- Nigeria has not disclosed the quantity of its stockpiled cluster munitions, but said in 2012 that its armed forces possess UK-made BL755 cluster bombs.<sup>88</sup> Nigeria has made several appeals for “cooperation and assistance” to destroy the stockpile.<sup>89</sup>

Two signatories possessed cluster munitions in the past:

- Angola stated in 2017 that the process of compiling its draft transparency report allowed it to confirm that stockpiled cluster munitions were all destroyed in or by 2012.<sup>90</sup>
- The Central African Republic stated in 2011 that it had destroyed a “considerable” stockpile of cluster munitions and no longer had stocks on its territory.<sup>91</sup>

### Stockpiles possessed by non-signatories

It is not possible to provide a global estimate of the quantity of cluster munitions held by non-signatories to the Convention on Cluster Munitions, as few have publicly shared information on the types and quantities in their possession.

The US said in 2011 that its stockpile was comprised of “more than 6 million cluster munitions.”<sup>92</sup> However, the US appears to have made significant progress since then to remove cluster munitions from its active inventory and place them in the demilitarization inventory for destruction.

Georgia destroyed 844 RBK-series cluster bombs containing 320,375 submunitions in 2013.<sup>93</sup> Venezuela destroyed an unspecified quantity of cluster munitions belonging to its air force in 2011, including Israeli-made AS TAL-1 cluster bombs.<sup>94</sup> Greece and Ukraine have disclosed partial figures on their stockpiled cluster munitions.<sup>95</sup>

## STOCKPILE DESTRUCTION

Under Article 3 of the Convention on Cluster Munitions, each State Party is required to declare and destroy all stockpiled cluster munitions under its jurisdiction or control as soon as possible, but no later than eight years after entry into force for that State Party.

No State Party with the first stockpile destruction deadline of 1 August 2018 failed to destroy its stocks in time.

<sup>88</sup> Statement of Nigeria, Convention on Cluster Munitions Intersessional Meetings, Geneva, 18 April 2012, [bit.ly/CCMNigeria18April2012](http://bit.ly/CCMNigeria18April2012). Jane’s Information Group has reported that the Nigeria Air Force possesses British-made BL755 cluster bombs. Robert Hewson, ed., *Jane’s Air-Launched Weapons, Issue 44* (Surrey: Jane’s Information Group, 2004), p. 843.

<sup>89</sup> See, for example, “Croatia Progress Report,” CCM/CONF/2015/6, Convention on Cluster Munitions First Review Conference, Dubrovnik, 6 October 2015, [bit.ly/CroatiaProgressReportCCM2015](http://bit.ly/CroatiaProgressReportCCM2015).

<sup>90</sup> Statement of Angola, Convention on Cluster Munitions Seventh Meeting of States Party, Geneva, 4 September 2017, [bit.ly/CCMStatementAngola4Sep2017](http://bit.ly/CCMStatementAngola4Sep2017).

<sup>91</sup> Statement of the Central African Republic, Convention on Cluster Munitions Second Meeting of States Parties, Beirut, 14 September 2011, [bit.ly/CCMCAR14Sep2011](http://bit.ly/CCMCAR14Sep2011).

<sup>92</sup> Statement of the US, Convention on Conventional Weapons (CCW) Fourth Review Conference, Geneva, 14 November 2011, [bit.ly/CCWUS14Nov2011](http://bit.ly/CCWUS14Nov2011). The types of cluster munitions included in this figure were listed on a slide projected during an informal briefing to CCW delegates by a member of the US delegation. Several of the types (such as CBU-58, CBU-55B, and M509A1) were not listed in the “active” or “total” inventory by the US Department of Defense in a report to Congress in late 2004.

<sup>93</sup> “Time schedule for cluster bomb disposal: Attachment 1.4,” undated. The document was provided by the press office of the Organization for Security and Co-operation in Europe (OSCE) Secretariat, 7 May 2014.

<sup>94</sup> “El Ministerio de la Defensa de Venezuela destruye bombas de racimo” (“The Ministry of Defense of Venezuela destroys cluster bombs”), *Infodefensa.com*, 26 August 2011, [bit.ly/VenezuelaDestroysClusterBombs](http://bit.ly/VenezuelaDestroysClusterBombs).

<sup>95</sup> Email from Yannis Mallikourtis, Permanent Mission of Greece to the UN in Geneva, 14 June 2011; and presentation of Ukraine, “Impact of the CCW Draft Protocol VI (current version) on Ukraine’s Defense Capability,” slide 2, Geneva, 1 April 2011.

However, two States Parties have requested extensions to their destruction deadlines:

- In April 2020, Bulgaria provided a request to extend its stockpile destruction deadline to 1 October 2022.<sup>96</sup> Previously, in September 2019, States Parties approved Bulgaria's first request to extend its stockpile destruction deadline to 1 April 2021 from the original date of 1 October 2019.
- In March and June 2020, Peru requested an extension to its stockpile destruction deadline from 1 March 2021 to April 2024.<sup>97</sup> Peru had previously pledged to destroy its stocks by the deadline.<sup>98</sup>

Additionally, Guinea-Bissau may have missed its 1 May 2019 stockpile destruction deadline, but must clarify if it still knowingly possesses cluster munition stocks.

### States Parties that have completed stockpile destruction

Of the 41 States Parties that have stockpiled cluster munitions, at least 36 have now completed destruction of those stocks, collectively destroying nearly 1.5 million cluster munitions containing 178 million submunitions. This represents 99% of all cluster munitions that States Parties have reported stockpiling.

Switzerland was the last State Party to complete stockpile destruction under the convention, in March 2019.

No State Party completed the destruction of their cluster munition stocks in the second half of 2019 or first half of 2020. However, the Monitor added the Philippines to its list of States Parties that have completed stockpile destruction after the Philippines reported in October 2019 that it destroyed its cluster munitions in 2011.<sup>99</sup>

Four States Parties that once stockpiled cluster munitions are not listed in the table above due to insufficient information on the quantities destroyed:

- Afghanistan and Iraq have reported the completion of stockpile destruction, but neither provided a specific date of completion or information on types and quantities destroyed. Both countries have reported the discovery and destruction of cluster munitions that the Monitor understands were found in abandoned arms caches.
- The Republic of the Congo has stated that it has no stockpiles of cluster munitions on its territory, but it must provide a transparency report to formally confirm that it does not possess stocks.<sup>100</sup>

<sup>96</sup> Bulgaria Convention on Cluster Munitions Article 3 Extension Request, March 2020, [bit.ly/BulgariaCCMArticle3ExtensionRequest2020](http://bit.ly/BulgariaCCMArticle3ExtensionRequest2020).

<sup>97</sup> Peru Convention on Cluster Munitions Article 3 Extension Request, March 2020, [bit.ly/PeruCCMArt3ExtensionRequest2020](http://bit.ly/PeruCCMArt3ExtensionRequest2020); and Peru Convention on Cluster Munitions Article 3 updated Extension Request, May 2020, [bit.ly/PeruCCMArt3ExtensionRequest2020Updated](http://bit.ly/PeruCCMArt3ExtensionRequest2020Updated).

<sup>98</sup> Statement of Peru, Convention on Cluster Munitions First Review Conference, Dubrovnik, 11 September 2015, [www.clusterconvention.org/files/2015/09/Peru\\_high-level-segment.pdf](http://www.clusterconvention.org/files/2015/09/Peru_high-level-segment.pdf). Previously, in April 2014, Peru had expressed its commitment to destroy its stockpile by the convention's deadline and said it had requested international cooperation and assistance to do so. Statement of Peru, Convention on Cluster Munitions Intersessional Meetings, Geneva, 7 April 2014, [www.clusterconvention.org/files/2014/04/Peru.pdf](http://www.clusterconvention.org/files/2014/04/Peru.pdf).

<sup>99</sup> The Philippines reported that it destroyed 114 "81mm cluster bombs" by open detonation at a location in Cebu on 7 May 2011, after it adopted and signed the convention. Convention on Cluster Munitions Article 7 Report, Form B, 5 December 2019, [bit.ly/PhilippinesCCMArticle7Report2019](http://bit.ly/PhilippinesCCMArticle7Report2019). The specific type of cluster munition referred to by the Philippines is unclear.

<sup>100</sup> In September 2011, the Republic of the Congo stated that it had no stockpiles of cluster munitions on its territory. In May 2013, Congo reported that it had destroyed its remaining 372 antipersonnel mines held for training and research purposes following the massive explosions in a weapons depot in Brazzaville in March 2012, and said it was now a country fully free of landmines and cluster munitions. Statement of the Republic of the Congo, Convention on Cluster Munitions Second Meeting of States Parties, Beirut, 15 September 2011, [www.clusterconvention.org/files/2011/09/cl\\_congo.pdf](http://www.clusterconvention.org/files/2011/09/cl_congo.pdf); statement by Col. Nkoua, National Focal Point of the Struggle Against Mines, Seminar to mark the 20th Anniversary of the ICBL hosted by the Congolese Campaign to Ban Landmines and Cluster Bombs, Kinshasa, 19 December 2012; and statement of the Republic of the Congo, Lomé Regional Seminar on the Universalization of the Convention on Cluster Munitions, Lomé, 22 May 2013. Notes by Action on Armed Violence (AOAV).



States Parties that have completed stockpile destruction<sup>101</sup>

State Party (year of completion)	Quantity of cluster munitions	Quantity of submunitions
Austria (2010)	12,672	798,336
Belgium (2010)	115,210	10,138,480
Bosnia and Herzegovina (2011)	445	148,059
Botswana (2018)	510	14,400
Cameroon (2017)	6	906
Canada (2014)	13,623	1,361,958
Chile (2013)	249	25,896
Colombia (2009)	72	10,832
Côte d'Ivoire (2013)	68	10,200
Croatia (2018)	7,235	178,318
Cuba (2017)	1,856	0
Czech Republic (2010)	480	16,400
Denmark (2014)	42,176	2,440,940
Ecuador (2004)	117	17,199
France (2016)	34,876	14,916,881
Germany (2015)	573,700	62,923,935
Hungary (2011)	287	3,954
Italy (2015)	4,963	2,849,979
Japan (2015)	14,011	2,027,907
Moldova (2010)	1,385	27,050
Montenegro (2010)	353	51,891
Mozambique (2015)	293	12,804
Netherlands (2012)	193,643	25,867,510
North Macedonia (2013)	2,426	39,980
Norway (2010)	52,190	3,087,910
Philippines (2011)	114	0
Portugal (2011)	11	1,617
Slovenia (2017)	1,080	52,920
Spain (2018)	6,837	293,652
Sweden (2015)	370	20,595
Switzerland (2019)	206,061	12,211,950
United Kingdom (2013)	190,828	38,758,898
<b>Total</b>	<b>1,478,147</b>	<b>178,311,357</b>

<sup>101</sup> See the relevant Monitor country profiles for more information. Some quantities of cluster munitions and/or submunitions have changed since previous reports due to revisions based on adjusted information provided in Article 7 transparency reports for the convention. In addition, before the convention took effect, Belgium, Germany, the Netherlands, Switzerland, and the UK destroyed a total of 712,977 cluster munitions containing more than 78 million submunitions. Note that Cameroon did not destroy its stockpiled cluster munitions, but instead retained them all for research and training. Cuba reported the total number of cluster munitions destroyed, but not the quantity of submunitions destroyed.

- Honduras provided its transparency report in 2017, but did not declare any cluster munitions because it destroyed the stockpile long before the convention's entry into force.<sup>102</sup>

### Destruction underway

During 2019, three States Parties destroyed a total of 212 cluster munitions and more than 14,900 submunitions, as shown in the following table.

### Cluster munitions destroyed by States Parties in 2019

State Party	Cluster munitions destroyed	Submunitions destroyed
Bulgaria	35	4,127
Peru	22	2,640
Slovakia	155	8,190
<b>Total</b>	<b>212</b>	<b>14,957</b>

Slovakia has committed to destroy its stockpile by the 1 January 2024 deadline “using its own capacities.”<sup>103</sup> It had destroyed 65% of its total declared stocks of cluster munitions and 11% of the submunitions by the end of 2019.

South Africa destroyed 139 cluster munitions and 78,994 submunitions before September 2012, but has not destroyed any cluster munitions since then and its stockpile destruction deadline is 1 November 2023.

The total number of cluster munitions destroyed by States Parties each year has fallen steadily since 2011, as those with this obligation to complete stockpile destruction.

### Stockpile destruction by year since entry into force

Year	States Parties	Cluster munitions destroyed	Submunitions (millions) destroyed
2011	11	107,000	17.6
2012	9	174,112	27
2013	10	130,380	24
2014	8	121,585	16.4
2015	9	79,184	8.7
2016	3	56,171	2.8
2017	7	33,551	1.8
2018	5	1,079	0.05
2019	3	212	0.0002

<sup>102</sup> According to officials, the stockpile of air-dropped Rockeye cluster bombs and an unidentified type of artillery-delivered cluster munitions were destroyed before 2007. HRW meetings with Honduran officials, in San José, 5 September 2007; and in Vienna, 3–5 December 2007.

<sup>103</sup> Letter No. 590.7564/2015-OKOZ, from Karol Mistrík, Ministry of Foreign and European Affairs of the Slovak Republic, to Mary Wareham, Arms Division, HRW, 16 April 2015.

## RETENTION

Article 3 of the Convention on Cluster Munitions permits the retention of cluster munitions and submunitions for the development of training in detection, clearance, and destruction techniques, and for the development of counter-measures such as armor to protect troops and equipment from the weapons.

Most States Parties see no need or reason to retain and use live cluster munitions for such purposes, including 27 States Parties that once stockpiled cluster munitions.<sup>104</sup> However, 13 States Parties have chosen to retain cluster munitions for training and research purposes.

### Cluster munitions retained for training (as of 31 December 2019)<sup>105</sup>

State Party	Quantity of cluster munitions (submunitions)			Date first reported
	Retained in 2019	Consumed in 2019	Initially retained	
Germany	208 (18,233)	164 (11,284)	685 (62,580)	2011
Belgium	186 (16,368)	17 (1,496)	276 (24,288)	2011
Netherlands	74 (5,280)	200 (17,636)	272 (23,545)	2011
Switzerland	46 (2,321)	6 (294)	138 (7,346)	2013
Bulgaria	7 (350)	1(50)	8 (400)	2017
Cameroon	6 (906)	0 (0)	6 (906)	2014
Slovakia	5 (3,220)	0 (0)	5 (3,220)	2015
Spain	4 (550)	1 (28)	711 (16,652)	2011
France	3 (189)	0 (0)	55 (10,284)	2011
Denmark	0 (2,816)	(530)	170 (-)	2011
Sweden	0 (117)	0 (8)	0 (125)	2013
BiH	0 (30)	0 (0)	0 (30)	2013
Czech Rep.	0 (6)	0 (6)	0 (796)	2011

Germany still retains the largest number of cluster munitions, followed by Belgium and the Netherlands. However, Germany and the Netherlands both significantly reduced the number of cluster munitions retained for research and training purposes during 2019, while Bulgaria, the Czech Republic, Sweden, and Switzerland also reduced the number of retained cluster munitions. The number of cluster munitions retained by Denmark increased by 100 DM1348 submunitions in 2019.<sup>106</sup>

Bosnia and Herzegovina (BiH) and Cameroon have not destroyed any cluster munitions and/or submunitions since reporting they would retain them for research and training purposes.

<sup>104</sup> Afghanistan, Australia, Austria, BiH, Botswana, Canada, Chile, Colombia, Côte d'Ivoire, Croatia, Cuba, Ecuador, Honduras, Hungary, Iraq, Italy, Japan, Moldova, Montenegro, Mozambique, North Macedonia, Norway, Peru, Portugal, Slovenia, South Africa and the UK.

<sup>105</sup> For more information on retention, including the specific types of cluster munitions retained by each country, see ICBL-CMC, Country Profiles, [www.the-monitor.org/en-gb/our-research/country-profiles.aspx](http://www.the-monitor.org/en-gb/our-research/country-profiles.aspx); and Convention on Cluster Munitions Article 7 transparency reports database, [bit.ly/CCMArt7database](http://bit.ly/CCMArt7database). The quantity totals may include individual submunitions retained, which are not contained in a delivery container.

<sup>106</sup> Denmark Convention on Cluster Munitions Article 7 Report, Form D, 1 July 2020, [bit.ly/DenmarkCCMArticle7Report2020](http://bit.ly/DenmarkCCMArticle7Report2020). According to an official, "for unknown reasons, the Danish holdings of DM1348 had not been reported at earlier occasions." Email from Julie Worsøe Andersen, Security Policy Unit, Ministry of Foreign Affairs of Denmark, 17 September 2020.

Most States Parties retaining cluster munitions for training have significantly reduced the number retained since making their initial declarations. This shows how the initial amounts retained were likely too high. It is still unclear if current holdings by States Parties constitute the “minimum number absolutely necessary” as required by the convention for the permitted purposes.

States Parties Australia, Italy, and the United Kingdom (UK) initially retained cluster munitions that they subsequently destroyed and did not replace. States Parties Chile, Croatia, and Moldova have declared retaining inert items or those rendered free from explosives, which no longer qualify as cluster munitions or submunitions under the convention.

## TRANSPARENCY REPORTING

Under Article 7 of the Convention on Cluster Munitions, States Parties are obliged to submit an initial transparency report within 180 days of the convention taking effect for that country. An updated report is due by 30 April each year thereafter, covering activities in the previous calendar year.

### States Parties with initial Article 7 reporting deadlines

State Party	Date due
Cape Verde	28 September 2011
Comoros	30 June 2011
Republic of the Congo	28 August 2015
Guinea	19 April 2015
Madagascar	30 April 2018
Niue	28 August 2021
Rwanda	31 July 2016
Saint Lucia	28 August 2021
São Tomé and Príncipe	20 December 2020
Togo	29 May 2013

As of 31 August 2020, 100 States Parties have submitted an initial transparency report for the convention, including eight States Parties that have turned in initial reports during the reporting period (since July 2019): Gambia, Guinea-Bissau, Guyana, Iceland, the Maldives, Namibia, the Philippines, and Somalia.<sup>107</sup>

This represents 93% of the States Parties for which the obligation applied at the time, which is the highest compliance rate recorded to date, while compliance with the annual reporting requirement is far less impressive.<sup>108</sup>

As of 16 September 2020, 10 States Parties still had to provide an initial transparency report, of which seven have missed their submission deadline. Cape Verde and Comoros are nearly a decade late in submitting their initial reports. Timely submission of the report is a legal obligation.<sup>109</sup>

<sup>107</sup> Afghanistan, Albania, Andorra, Antigua and Barbuda, Australia, Austria, Belgium, Belize, Benin, BiH, Bolivia, Botswana, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Chad, Chile, Colombia, Cook Islands, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Eswatini (formerly Swaziland), Fiji, France, the Gambia, Germany, Ghana, Grenada, Guatemala, Guinea-Bissau, Guyana, Holy See, Honduras, Hungary, Iceland, Iraq, Ireland, Italy, Japan, Lao PDR, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Montenegro, Mozambique, Namibia, Nauru, the Netherlands, New Zealand, Nicaragua, Niger, North Macedonia, Norway, Palau, Palestine, Panama, Paraguay, Peru, the Philippines, Portugal, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Seychelles, Sierra Leone, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Trinidad and Tobago, Tunisia, the UK, Uruguay, and Zambia. See, UN's Convention on Cluster Munitions Article 7 database, [bit.ly/CCMArt7database](http://bit.ly/CCMArt7database).

<sup>108</sup> Previously, *Cluster Munition Monitor 2019* reported an 89% compliance rate for the submission of initial transparency reports. *Cluster Munition Monitor 2018* reported an 87% compliance rate. *Cluster Munition Monitor 2017* and *Cluster Munition Monitor 2016* reported an 82% compliance rate. *Cluster Munition Monitor 2015* reported an 80% compliance rate. *Cluster Munition Monitor 2014* reported a 77% compliance rate. The compliance rate was reported as “three-quarters” of states in *Cluster Munition Monitor 2012* and *Cluster Munition Monitor 2013*.

<sup>109</sup> The transparency report should be emailed to the UN Secretary-General via the UN Office for Disarmament Affairs at [ccm@un.org](mailto:ccm@un.org). For more information, see: [www.clusterconvention.org/documents/transparency-reports/](http://www.clusterconvention.org/documents/transparency-reports/).

After providing an initial transparency report, States Parties must submit an updated report by 30 April each year. Of the States Parties for which the obligation applied at the time, only 63 provided the annual updated report due by 30 April 2020, covering activities in 2019.<sup>110</sup> This 60% reporting rate is similar to previous years.

Some States Parties have never turned in an annual updated report. Cluster munition stockpiler South Africa submitted an initial Article 7 transparency report for the convention on 8 September 2017, but has not provided an annual updated report since then. South Africa told States Parties in September 2019 that it was preparing the outstanding transparency reports.<sup>111</sup>

In April 2020, non-signatories Brunei and South Sudan each provided a voluntary transparency report for the convention. Previously, signatory Democratic Republic of the Congo (DRC) turned in voluntary transparency reports in 2011, 2012, and 2014. Canada and Palau also provided voluntary transparency reports prior to ratifying the convention.

Only a few states have used voluntary Form J to report on actions to promote universalization and discourage the use of cluster munitions, to provide details on cooperation and assistance support, or to report on other important matters such as their position on interpretive issues.<sup>112</sup>

The Cluster Munition Coalition (CMC) continues to encourage states to submit their transparency reports by the deadline and provide complete information, including definitive statements.<sup>113</sup>

## NATIONAL IMPLEMENTATION LEGISLATION

According to Article 9 of the Convention on Cluster Munitions, States Parties are required to take “all appropriate legal, administrative and other measures to implement this Convention, including the imposition of penal sanctions.” The Cluster Munition Coalition (CMC) urges all States Parties to enact comprehensive national legislation to enforce the convention’s provisions and provide binding, enduring, and unequivocal rules.

A total of 32 States Parties have enacted specific implementing legislation for the convention. Prior to the convention’s August 2010 entry into force, 11 states enacted implementing legislation, while 21 states have done so since then.

Namibia reported in August 2019 that it had amended the Arms and Ammunition Act to account for its obligations under the convention and said it was in the process of repealing the Explosives Act.<sup>114</sup>

No State Party adopted specific implementing legislation for the convention in the first half of 2020.

<sup>110</sup> Afghanistan, Albania, Antigua and Barbuda, Australia, Austria, Belgium, BiH, Bulgaria, Canada, Chad, Chile, Colombia, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Czech Republic, Denmark, Ecuador, France, Germany, Grenada, Guatemala, Guinea-Bissau, Guyana, Holy See, Honduras, Hungary, Iraq, Ireland, Italy, Japan, Lao PDR, Lebanon, Liechtenstein, Lithuania, Luxembourg, Mauritania, Mauritius, Mexico, Montenegro, Mozambique, the Netherlands, New Zealand, Nicaragua, Niger, North Macedonia, Norway, Peru, Philippines, Portugal, Saint Kitts and Nevis, San Marino, Slovakia, Slovenia, Somalia, Spain, Sweden, Switzerland, Tunisia, the UK, Uruguay, and Zambia.

<sup>111</sup> Statement of South Africa, Convention on Cluster Munitions Ninth Meeting of States Parties, Geneva, 2 September 2019, [bit.ly/SouthAfricaStatementMSP2019](https://bit.ly/SouthAfricaStatementMSP2019).

<sup>112</sup> For example, Austria, Belgium, Colombia, DRC, France, Guatemala, Ireland, Japan, Lao PDR, Lebanon, New Zealand, Norway, Slovakia, Spain, and Zambia utilized Form J in their initial Article 7 transparency reports.

<sup>113</sup> Often states do not provide definitive statements throughout their reports. Notably, some simply submit “not applicable.” States should, for example, include a short narrative statement on Form E on conversion of production facilities, i.e., “Country X never produced cluster munitions,” instead of simply putting “N/A” on the form. In addition, only a small number of states used voluntary Form J.

<sup>114</sup> Namibia did not detail how these laws may guide and enforce its implementation of the convention. Convention on Cluster Munitions Article 7 Report, Form A, 27 August 2019, [bit.ly/NamibiaCCMArticle7Report2019](https://bit.ly/NamibiaCCMArticle7Report2019).

## States Parties with implementing legislation for the Convention on Cluster Munitions

State Party (year enacted)	
Afghanistan (2018)	Ireland (2008)
Australia (2012)	Italy (2011)
Austria (2008)	Japan (2009)
Belgium (2006)	Liechtenstein (2013)
Bulgaria (2015)	Luxembourg (2009)
Cameroon (2016)	Mauritius (2016)
Canada (2014)	Namibia (2019)
Colombia (2012)	New Zealand (2009)
Cook Islands (2011)	Norway (2008)
Czech Republic (2011)	Saint Kitts and Nevis (2014)
Ecuador (2010)	Samoa (2012)
France (2010)	Spain (2015)
Germany (2009)	Sweden (2012)
Guatemala (2012)	Switzerland (2012)
Hungary (2012)	Togo (2015)
Iceland (2015)	UK (2010)

Another 20 States Parties have indicated they are planning or in the process of drafting, reviewing, or adopting specific legislative measures to implement the convention.<sup>115</sup> Guinea-Bissau reported in January 2020 that it is drafting implementing legislation for the convention.<sup>116</sup> Somalia reported in October 2019 that it plans to enact national implementing legislation to guide and enforce the convention's provisions.<sup>117</sup>

Another 43 States Parties have indicated that they regard existing legislation and regulations as sufficient to enforce their adherence to the convention.<sup>118</sup> Benin reported in June 2019 that it has not enacted specific implementing legislation for the convention.<sup>119</sup> Guyana reported in January 2020 that it does not intend to enact implementing legislation for the convention as the provisions requiring penal sanctions are already covered by the Criminal Law (Offenses) Act of Guyana.<sup>120</sup>

At least eight States Parties are considering if they need specific implementation legislation for the convention. In 2019, Palestine, the Gambia, and Sri Lanka reported that they were

respectively reviewing their existing laws and regulations to determine if implementing legislation is needed.<sup>121</sup> The Philippines reported in October 2019 that its armed forces have issued a directive prohibiting cluster munitions from being included in operational

<sup>115</sup> Antigua and Barbuda, Belize, Botswana, Burkina Faso, Burundi, Republic of the Congo, Eswatini, Ghana, Grenada, Guinea-Bissau, Lao PDR, Lebanon, Lesotho, Malawi, Mali, Niger, Seychelles, Sierra Leone, Somalia, and Zambia.

<sup>116</sup> Guinea-Bissau Convention on Cluster Munitions Article 7 Report, Form A, 1 January 2020, [bit.ly/GuineaBissauCCMArticle7Report2020](https://bit.ly/GuineaBissauCCMArticle7Report2020). Previously, an official said the country's Penal Code provides sanctions for any violations of the Convention on Cluster Munitions. Statement of Guinea-Bissau, Lomé Regional Seminar on the Universalization of the Convention on Cluster Munitions, Lomé 23 May 2013.

<sup>117</sup> Somalia Convention on Cluster Munitions Article 7 Report, Form A, 11 October 2019, [bit.ly/SomaliaCCMArticle7Report2019](https://bit.ly/SomaliaCCMArticle7Report2019).

<sup>118</sup> Albania, Andorra, Benin, BiH, Bolivia, Chad, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Denmark, El Salvador, Fiji, Guyana, Holy See, Honduras, Iraq, Lithuania, Malta, Mauritania, Mexico, Moldova, Monaco, Montenegro, Mozambique, Nauru, the Netherlands, Nicaragua, North Macedonia, Palau, Panama, Paraguay, Peru, Portugal, San Marino, Senegal, Slovakia, Slovenia, South Africa, Trinidad and Tobago, Tunisia, and Uruguay.

<sup>119</sup> The report states "not applicable" under national implementation measures required by Article 9. Benin Convention on Cluster Munitions Article 7 Report, Form A, 20 June 2019, [bit.ly/BeninCCMArticle7Report2019](https://bit.ly/BeninCCMArticle7Report2019).

<sup>120</sup> According to Section 155 of the Criminal Law (Offenses) Act, "Everyone who makes or knowingly has in his possession any explosive substance, or any dangerous, or noxious thing, or any machine, engine, instrument or other thing, with intent thereby, or by means thereof, to commit, or for the purpose of enabling any other to commit, an indictable offense whatsoever, shall be guilty of a felony and liable to imprisonment for ten years." Guyana Convention on Cluster Munitions Article 7 Report, Form A, 16 January 2020, [bit.ly/GuyanaCCMArticle7Report2020](https://bit.ly/GuyanaCCMArticle7Report2020). Guyana also reported other relevant existing laws relating to explosives, customs, firearms, disability rights, and social security.

<sup>121</sup> The Gambia Convention on Cluster Munitions Article 7 Report, Form A, 21 November 2019, [bit.ly/GambiaCCMArticle7Report2019](https://bit.ly/GambiaCCMArticle7Report2019); Palestine, Convention on Cluster Munitions Article 7 Report, Form A, 29 April 2019, [bit.ly/PalestineCCMArticle7Report2019](https://bit.ly/PalestineCCMArticle7Report2019); and Sri Lanka, Convention on Cluster Munitions Article 7 Report, Form A, 26 February 2019, [bit.ly/SriLankaCCMArticle7Report2019](https://bit.ly/SriLankaCCMArticle7Report2019).

planning requirements.”<sup>122</sup> New States Parties Niue, the Maldives, Saint Lucia, and São Tomé and Príncipe have yet to indicate if they plan to enact implementing legislation for the convention.

In seven States Parties the status of national implementation measures is unknown or unclear.<sup>123</sup>

While progress on national implementation legislation has slowed, there are now several models to guide the preparation of strong laws. Human Rights Watch (HRW) and Harvard Law School’s International Human Rights Clinic have identified key components of comprehensive legislation, while the International Committee of the Red Cross (ICRC) has proposed a model law for common law states and New Zealand has prepared a model law for small states that do not possess cluster munitions and are not contaminated by their remnants.<sup>124</sup>

## INTERPRETIVE ISSUES

During the Oslo Process and the final negotiations in Dublin, where the Convention on Cluster Munitions was adopted on 30 May 2008, it appeared that there was not a uniform view on certain important issues relating to states’ interpretation and implementation of the convention. The Cluster Munition Coalition (CMC) encourages States Parties and signatories that have not yet done so to express their views on three key issues of concern:

1. The prohibition on assistance during joint military operations with states not party that may use cluster munitions (“interoperability”);
2. The prohibitions on transit and foreign stockpiling of cluster munitions; and,
3. The prohibition on investment in production of cluster munitions.

Several States Parties and signatories have elaborated their views on these issues, including through Article 7 transparency reports, statements at meetings, parliamentary debates, and direct communications with the CMC and the Monitor. Several strong implementation laws provide useful models for how to implement certain provisions of the convention. Yet, as of 20 August 2020, more than three dozen States Parties had not articulated their views on even one of these interpretive issues, and there were no new statements during the reporting period.<sup>125</sup> Please refer to previous Cluster Munition Monitor reports, in addition to country profiles, for detailed positions on key interpretive issues.

More than 400 United States (US) Department of State cables made public by Wikileaks in 2010–2011 demonstrate how the US—despite not participating in the Oslo Process—made numerous attempts to influence its allies, partners, and other states on the content of the

<sup>122</sup> Memorandum to the Chief of Staff, Armed Forces of the Philippines, on the Prohibition of Cluster Munitions in the Armed Forces of the Philippines Operational Requirements by the Department of National Defense, 13 December 2017. Convention on Cluster Munitions Article 7 Report, Form A, 11 October 2019, [bit.ly/PhilippinesCCMArticle7Report2019](http://bit.ly/PhilippinesCCMArticle7Report2019).

<sup>123</sup> Cape Verde, Comoros, Dominican Republic, Guinea, Madagascar, Rwanda, and Saint Vincent and the Grenadines.

<sup>124</sup> For recommendations of best practice in this field, see HRW and Harvard Law School’s International Human Rights Clinic, “Staying Strong: Key Components and Positive Precedent for Convention on Cluster Munitions Legislation,” September 2014, [bit.ly/StayingStrong2014](http://bit.ly/StayingStrong2014); ICRC, “Model Law, Convention on Cluster Munitions: Legislation for Common Law States on the 2008 Convention on Cluster Munitions,” 2013, [bit.ly/ICRCModelLawCCM](http://bit.ly/ICRCModelLawCCM); and see also, this document prepared by New Zealand for small states not possessing cluster munitions and not contaminated by them: “Model Legislation: Cluster Munitions Act 2011,” [bit.ly/ModelLegislationNZ2011](http://bit.ly/ModelLegislationNZ2011).

<sup>125</sup> The States Parties that have yet to publicly elaborate a view on any of these interpretive issues include: Afghanistan, Albania, Andorra, Antigua and Barbuda, Belize, Benin, Bolivia, Botswana, Cape Verde, Cook Islands, Côte d’Ivoire, Cuba, Dominican Republic, El Salvador, Eswatini, Fiji, Guinea, Guinea-Bissau, Honduras, Iraq, Lesotho, Lithuania, Maldives, Mauritania, Moldova, Monaco, Mozambique, Nauru, Palau, Palestine, Panama, Paraguay, Saint Vincent and the Grenadines, San Marino, São Tomé and Príncipe, Seychelles, Sierra Leone, Slovakia, Sri Lanka, Trinidad and Tobago, Tunisia, and Uruguay.

draft Convention on Cluster Munitions, particularly with respect to interoperability, US stocks and foreign stockpiling.<sup>126</sup>

## INTEROPERABILITY AND THE PROHIBITION ON ASSISTANCE

Article 1 of the convention obliges States Parties “never under any circumstances to...assist, encourage or induce anyone to engage in any activity prohibited to a State Party under this Convention.” Yet during the Oslo Process, some states expressed concern about the application of the prohibition on assistance during joint military operations with countries that have not joined the convention. In response to these “interoperability” concerns, Article 21 on “Relations with States not Party to this Convention” was included in the convention. The CMC has strongly criticized Article 21 for being politically motivated and for leaving a degree of ambiguity about how the prohibition on assistance would be applied in joint military operations.

Article 21 states that States Parties “may engage in military cooperation and operations with States not party to this Convention that might engage in activities prohibited to a State Party.” It does not, however, negate a State Party’s obligations under Article 1 to “never under any circumstances” assist with prohibited acts. The article also requires States Parties to discourage use of cluster munitions by those not party, and to encourage them to join the convention. Together, Article 1 and Article 21 should have a unified and coherent purpose, as the convention cannot both require States Parties to discourage the use of cluster munitions and, by implication, allow them to encourage it. Furthermore, to interpret Article 21 as qualifying Article 1 would run counter to the object and purpose of the convention, which is to eliminate cluster munitions and the harm they cause to civilians.

The CMC’s position is therefore that States Parties must not intentionally or deliberately assist, induce, or encourage any activity prohibited under the Convention on Cluster Munitions, even when engaging in joint operations with states not party.

At least 38 States Parties and signatories have agreed that the convention’s Article 21 provision on interoperability should not be read as allowing states to avoid their specific obligation under Article 1 to prohibit assistance with prohibited acts.<sup>127</sup>

States Parties Australia, Canada, Japan, and the United Kingdom (UK) have indicated their support for 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.

States Parties France, the Netherlands, and Spain have provided the view that Article 21 allows for military cooperation in joint operations, but have not indicated the forms of assistance allowed.

<sup>126</sup> As of July 2012, Wikileaks had made public a total of 428 cables relating to cluster munitions that originated from 100 locations in the 2003–2010 period.

<sup>127</sup> At least 38 States Parties and signatories have previously stated their agreement with this view: Austria, Belgium, BiH, Bulgaria, Burundi, Cameroon, Chile, Colombia, Costa Rica, Croatia, Czech Republic, DRC, Ecuador, Germany, Ghana, Guatemala, Holy See, Hungary, Iceland, Ireland, Lao PDR, Lebanon, Madagascar, Malawi, Mali, Mauritius, Mexico, Montenegro, New Zealand, Nicaragua, Norway, Portugal, Saint Kitts and Nevis, Senegal, Slovenia, Sweden, Switzerland, and Togo. See, CMC, *Cluster Munition Monitor 2012* (Geneva: ICBL-CMC, August 2012), pp. 34–35; CMC, *Cluster Munition Monitor 2011* (Ottawa: Mines Action Canada, October 2011), pp. 25–27; ICBL, *Cluster Munition Monitor 2010* (Ottawa: Mines Action Canada, October 2010), pp. 20–21; and HRW and Landmine Action, *Banning Cluster Munitions: Government Policy and Practice* (Ottawa: Mines Action Canada, May 2009), pp. 25–26. See also, HRW and Harvard Law School’s International Human Rights Clinic, “Staying Strong,” 2014, pp. 19–23, [bit.ly/StayingStrong2014](http://bit.ly/StayingStrong2014).



## TRANSIT AND FOREIGN STOCKPILING

The CMC has stated that the injunction not to provide any form of direct or indirect assistance with prohibited acts contained in Article 1 of the Convention on Cluster Munitions should be seen as banning the transit of cluster munitions across or through the national territory, airspace, or waters of a State Party. The convention should also be seen as banning the stockpiling of cluster munitions by a state not party on the territory of a State Party.

At least 35 States Parties and signatories have declared that transit and foreign stockpiling are prohibited by the convention.<sup>128</sup>

States Parties Australia, Canada, Japan, the Netherlands, Portugal, Sweden, and the UK have indicated support for the opposite view—that transit and foreign stockpiling are not prohibited by the convention.

### US stockpiling and transit

States Parties Norway and the UK have confirmed that the US removed its stockpiled cluster munitions from their respective territories during 2010.

The US Department of State cables released by Wikileaks show that the US has stockpiled and therefore may still store cluster munitions in States Parties Afghanistan, Germany, Italy, Japan, and Spain, as well as in non-signatories Israel, Qatar, and possibly Kuwait.

## DISINVESTMENT

Several States Parties, as well as the CMC, view the convention's Article 1 ban on assistance with prohibited acts as constituting a prohibition on investment in the production of cluster munitions. The Dubrovnik Action Plan adopted by States Parties at the convention's First Review Conference in 2015 encourages the adoption of national legislation prohibiting investments in producers of cluster munitions.<sup>129</sup>

Since 2007, 11 States Parties have enacted legislation that explicitly prohibits investment in cluster munitions, as shown in the table below.<sup>130</sup>

No country enacted legislation relating to cluster munitions disinvestment in 2019 or the first half of 2020.

At least 38 States Parties and signatories to the convention have stated that they regard investments in cluster munition production as a form of assistance that is prohibited by the convention.<sup>131</sup> Chile and Ecuador were added to this list since publication of *Cluster Munition Monitor 2019*. In September 2019, Chile stated that “we join the call to not invest nor finance production of cluster munitions, because it is contrary to the convention and its

<sup>128</sup> Austria, Belgium, BiH, Bulgaria, Burkina Faso, Burundi, Cameroon, Colombia, Comoros, Costa Rica, Croatia, Czech Republic, DRC, Ecuador, France, Germany, Ghana, Guatemala, Holy See, Ireland, Lao PDR, Luxembourg, Madagascar, Malawi, Malta, Mexico, New Zealand, North Macedonia, Norway, Philippines, Saint Kitts and Nevis, Senegal, Slovenia, Spain, and Zambia. See CMC, *Cluster Munition Monitor 2011* (Ottawa: Mines Action Canada, October 2011), pp. 27–29; ICBL, *Cluster Munition Monitor 2010* (Ottawa: Mines Action Canada, October 2010), pp. 20–21; and HRW and Landmine Action, *Banning Cluster Munitions: Government Policy and Practice* (Ottawa: Mines Action Canada, May 2009), pp. 25–26.

<sup>129</sup> Dubrovnik Action Plan, First Review Conference of the Convention on Cluster Munitions, Croatia, 10 September 2015, [bit.ly/DubrovnikActionPlan](http://bit.ly/DubrovnikActionPlan).

<sup>130</sup> Italy's Law No. 95 bans financial assistance to anyone for any act prohibited by the convention, a provision that supports a ban on investment in the production of cluster munitions. However, the Italian Campaign to Ban Landmines has advocated for a separate, more detailed law.

<sup>131</sup> Australia, BiH, Cameroon, Canada, Chad, Chile, Colombia, Republic of the Congo, Costa Rica, Croatia, Czech Republic, Denmark, DRC, Ecuador, France, the Gambia, Ghana, Guatemala, Holy See, Hungary, Lao PDR, Lebanon, Madagascar, Malawi, Malta, Mauritania, Mexico, Montenegro, Niger, Norway, Peru, Philippines, Rwanda, Senegal, Slovenia, Trinidad & Tobago, the UK, and Zambia.

humanitarian aims.”<sup>132</sup> Ecuador said in October 2019 that “We reiterate our firm commitment to the Convention on Cluster Munitions and...call for a definitive stop to financing and investing in companies that produce cluster munitions, as it is a weapon of particular cruelty that especially affects the most vulnerable groups.”<sup>133</sup>

## Disinvestment laws on cluster munitions

State Party	Year enacted
Belgium	2007
Ireland	2008
Italy	2011
Liechtenstein	2013
Luxembourg	2009
Netherlands	2013
New Zealand	2009
Saint Kitts and Nevis	2014
Samoa	2012
Spain	2015
Switzerland	2013

A few States Parties to the convention have expressed the contrary view that the convention does not prohibit investment in cluster munition production, including Germany, Japan, and Sweden.

Government pension funds in Australia, Ireland, France, New Zealand, Norway, Luxembourg, and Sweden have either fully or partially withdrawn investments, or banned investments, in cluster munition producers.

Financial institutions have acted to stop investment in cluster munition producers and promote socially responsible investment in States Parties Australia, Belgium, Canada, Denmark, France, Germany, Ireland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, and the UK.

At least three companies in non-signatories have ceased production of cluster munitions, in part due to inquiries from numerous investors: Singapore Technologies Engineering and US companies Lockheed Martin, Textron Systems and Orbital ATK.

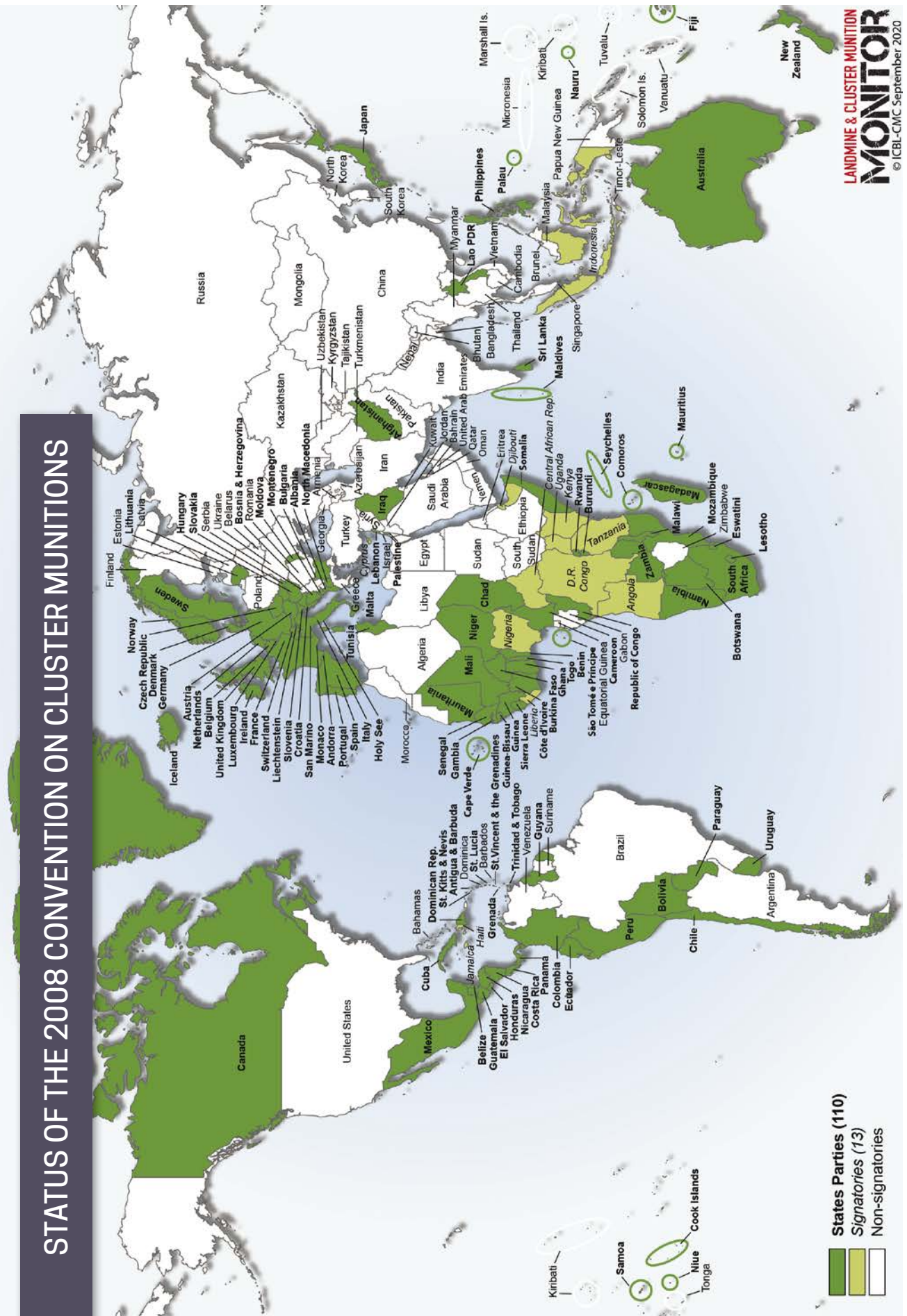
CMC co-founder and member PAX continues to lead advocacy and research to encourage governments to legislate against investment in cluster munition producers and provide clear guidance to financial institutions and investors.<sup>134</sup>

<sup>132</sup> Statement of Chile, Convention on Cluster Munitions Ninth Meeting of States Parties, Geneva, 2 September 2019, [www.clusterconvention.org/wp-content/uploads/2019/09/Ireland-NIM.pdf](http://www.clusterconvention.org/wp-content/uploads/2019/09/Ireland-NIM.pdf).

<sup>133</sup> Statement of Ecuador, UNGA First Committee on Disarmament and International Security, New York, 25 October 2019.

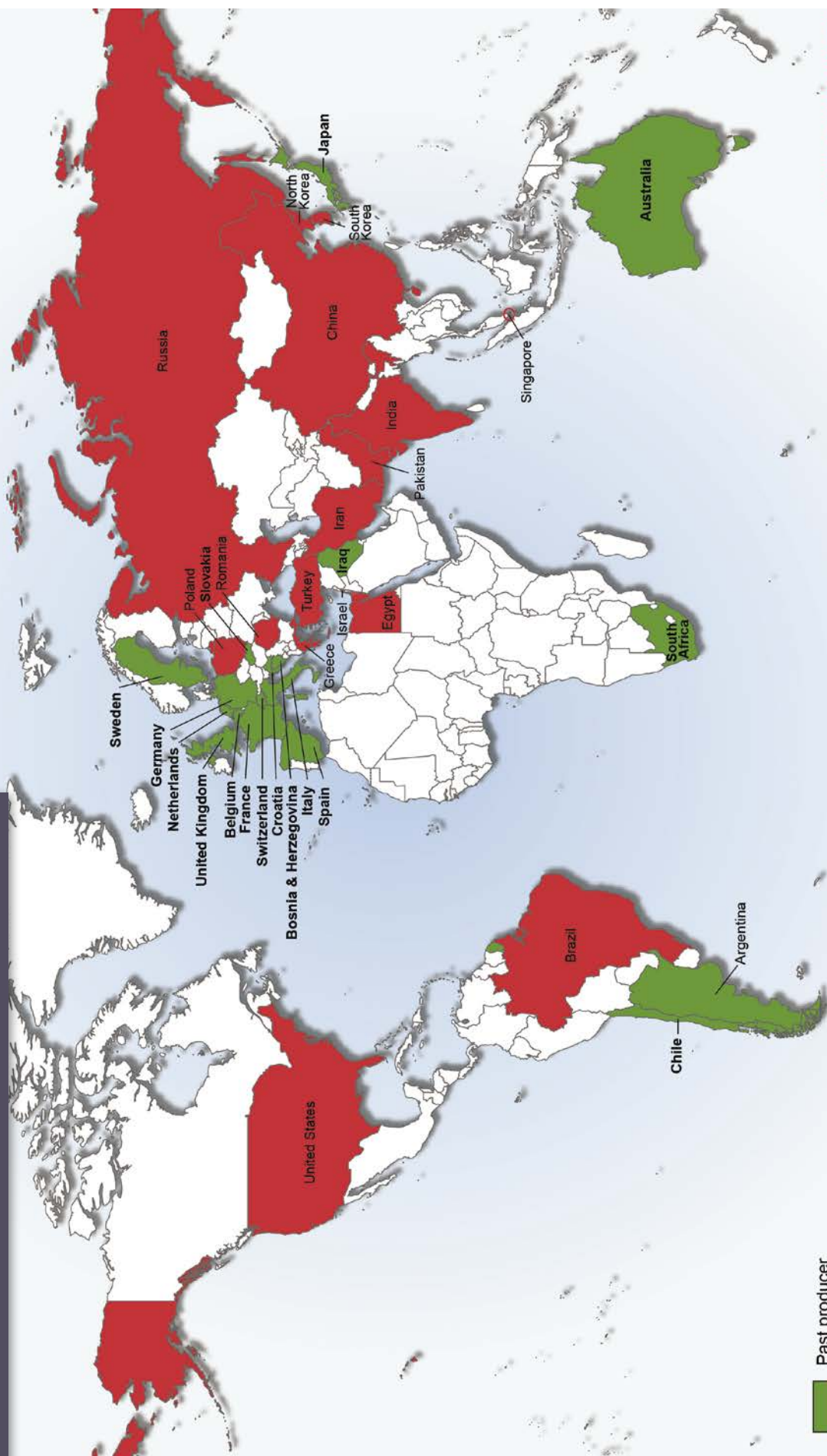
<sup>134</sup> PAX, *Worldwide Investments in Cluster Munitions: a shared responsibility* (Utrecht: PAX, December 2018), [bit.ly/PAXReportDecember2018](http://bit.ly/PAXReportDecember2018).

# STATUS OF THE 2008 CONVENTION ON CLUSTER MUNITIONS



States Parties (110)  
 Signatories (13)  
 Non-signatories

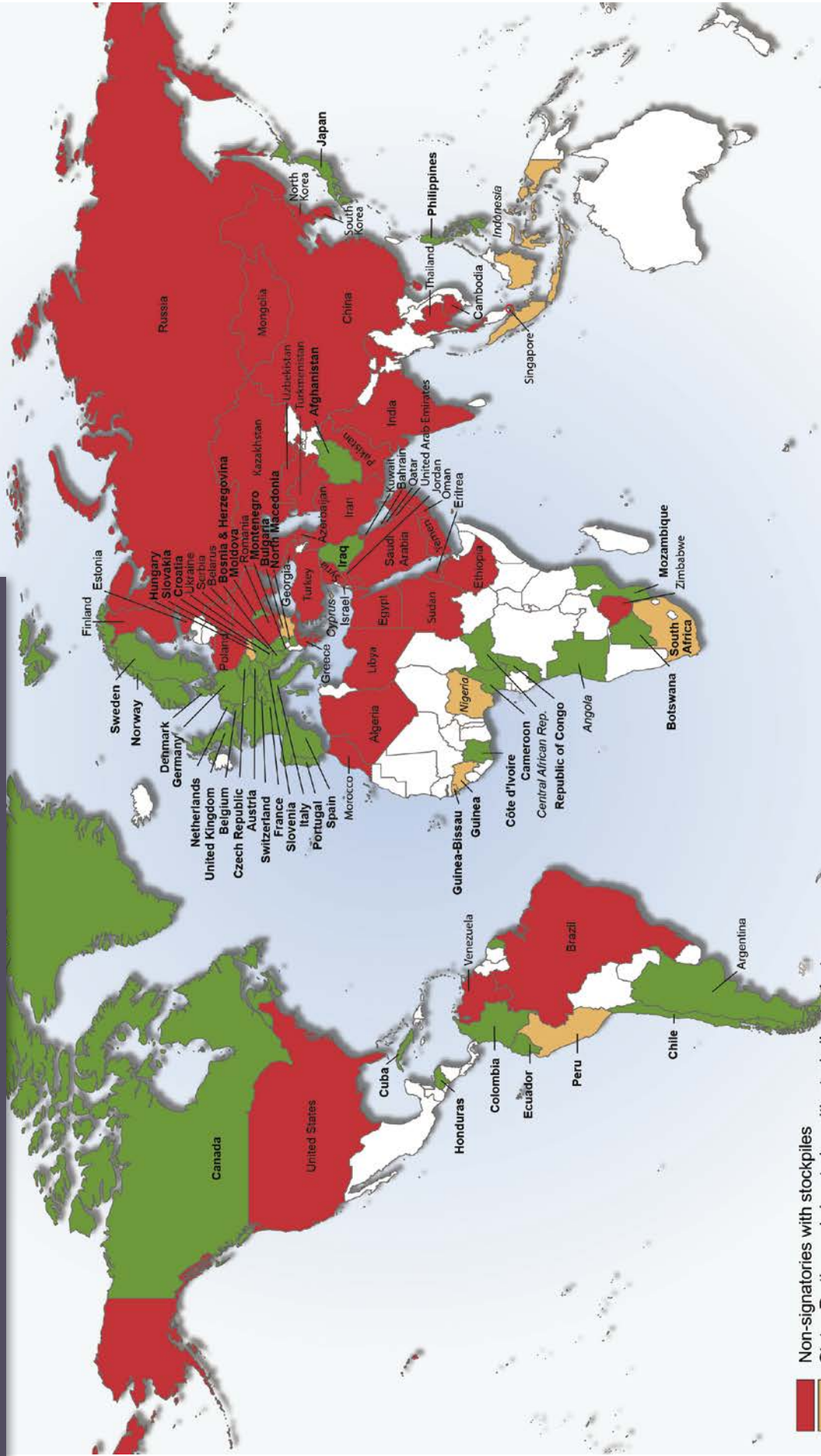
# PRODUCTION OF CLUSTER MUNITIONS



- Past producer
- Current producer
- N/A

Note: States Parties to the Convention on Cluster Munitions are bold, non-signatories are plain text.

# CLUSTER MUNITION STOCKPILES AND DESTRUCTION



- Non-signatories with stockpiles
- States Parties and signatories with stockpiles to be destroyed
- Destruction completed
- Never stockpiled cluster munitions

Note: States Parties to the Convention on Cluster Munitions are **bold**, signatories are *italics*, non-signatories are plain text.





A Humanity & Inclusion (HI) all-women demining team walking through a field after a day of work in Houaphan province, Lao PDR.

© N. Lozano Juez/HI, October 2019

# THE IMPACT

## INTRODUCTION

This summary highlights developments and challenges in assessing and addressing the impact of cluster munition contamination and casualties, through land release including clearance, risk education, and victim assistance during the reporting period prior to the Second Review Conference of the Convention on Cluster Munitions in Switzerland in 2020.<sup>1</sup> The Review Conference will mark the adoption of the Lausanne Action Plan, a new set of five-year strategic commitments to further states' efforts to address the impact of cluster munitions. The summary reports on the impact of cluster munitions globally. It also focuses on the efforts and challenges to address the impact in the States Parties with responsibility for clearance of cluster munition remnants and to cluster munition victims. It is these states to which the convention's obligations and the action plan commitments legally and directly apply.

The improvement of survey processes and data collection has enabled better understanding of the extent of cluster munition remnant contamination in States Parties, and has allowed the development of more realistic plans and better targeting of clearance resources.<sup>2</sup> In the 10 years since the Convention on Cluster Munitions came into force, States Parties have cleared at least 559km<sup>2</sup> of cluster munition contaminated land, and cleared and destroyed more than 450,000 submunitions. However, in some States Parties the rate of clearance has been slow, and in others there has been virtually no progress.

While in 2020 two States Parties announced fulfilment of their Article 4 clearance obligations, 10 States Parties remain contaminated. A further 13 non-signatories and three other areas have, or are believed to have, land containing cluster munitions on their territories.

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<sup>1</sup> Casualties mean people killed and injured, including those for whom the survival outcome is not known.

<sup>2</sup> Cluster munition remnants include abandoned cluster munitions, unexploded submunitions, and unexploded bomblets, as well as failed cluster munitions. Unexploded submunitions are "explosive submunitions" that have been dispersed or released from a cluster munition but failed to explode as intended. Unexploded bomblets are similar to unexploded submunitions but refer to "explosive bomblets," which have been dispersed or released from an affixed aircraft dispenser and failed to explode as intended. Abandoned cluster munitions are unused explosive submunitions or whole cluster munitions that have been left behind or dumped and are no longer under the control of the party that left them behind or dumped them. See, Convention on Cluster Munitions, Art. 2 (5), (6), (7), and (15).



The Convention on Cluster Munitions has successfully increased awareness of the objective of preventing new casualties and ending the suffering caused by these indiscriminate weapons. Ultimately, that awareness has resulted in more detailed and swifter reporting on casualties of cluster munition use. During the 10-year period of Cluster Munition Monitor reporting, 2010–2019, 4,315 new cluster munition casualties were recorded in 17 countries and three other areas. The vast majority of new casualties, 3,575 (83%), recorded during that time occurred in Syria as the result of new use, which included both attacks and contamination by cluster munition remnants.<sup>3</sup> Various estimates for casualties in cluster munition-affected countries globally since the 1960s are roughly between 56,000 and 86,000. The present total of *recorded* cluster munition casualties is 22,050, both from cluster munition remnants and from attacks in 34 countries and three other areas.<sup>4</sup>

Since entry into force of the convention some 40% of casualties were children. Affected States Parties clearly recognize children as a key risk group requiring specific and tailored risk education, because they are often growing up in contaminated areas, lack knowledge of the risks and are prone to picking up and playing with items, very often resulting in multiple casualties. Adults frequently become casualties of cluster munitions during everyday livelihood activities, where work or subsistence occupations such as agriculture, building, herding, hunting, and burning to cook or clear land, puts them at risk. While children often touch, move, or play with cluster submunitions unaware of the danger, adults do the same, but with knowledge of the risks. Adults are recorded taking risks by attempting to pick up and move submunitions to what they hope will be a safer place, out of reach of children and the community. Cluster munitions often impact the most vulnerable groups in a society, such as people who collect scrap metal for a living, migrant workers, and refugees and internally displaced people (IDPs).

The majority of cluster munition contaminated States Parties have some form of provision of risk education. In some States Parties, risk education is provided for a variety of explosive ordnance, including cluster munitions. In States Parties with greater cluster munition contamination, risk education is more targeted to the nature of contamination and behaviors associated with cluster munition remnants.

The existing level of the risk education response at the national level can be viewed as an achievement, particularly given the little attention and resources directed towards risk education internationally since the convention entered into force. A change occurred in 2019, which saw an increased focus on risk education due to the dramatic rise in casualties, particularly in the Middle East. However, more must be done to ensure that risk education can continue to improve and innovate, and provide tailored and contextual risk education to populations living with new and with legacy cluster munition remnants contamination.

The majority of all recorded cluster munition casualties for all time, 59%, occurred in States Parties. These states have obligations to assist the victims under the convention. The Convention on Cluster Munitions was the first multilateral treaty to make the provision of assistance to the victims of a specific weapon a formal obligation for all States Parties with

<sup>3</sup> Prior to the 2011 conflict and extensive cluster munition use, Syria was already counted as a state with cluster munition casualties due to the remnants from past use of cluster munitions by Israel on its territory. At least five such casualties had been recorded as of 2007. See HI, *Circle of Impact: The Fatal Footprint of Cluster Munitions on People and Communities* (Brussels: HI, May 2007), p. 132, [bit.ly/MonitorHICircleofImpact2007](http://bit.ly/MonitorHICircleofImpact2007).

<sup>4</sup> There are likely more states with cluster munition casualties. It is possible that cluster munition casualties have occurred but gone unrecorded in other countries where cluster munitions were used, abandoned, or stored in the past—such as States Parties Mauritania and Zambia and non-signatories Azerbaijan, Iran, Saudi Arabia, and Zimbabwe. Better identification and disaggregation of cluster munition casualties are needed in most cluster munition-affected states and areas. States Parties Mauritania and Zambia have both reported that survey is required to identify if they have cluster munition victims on their territories. There is also a firsthand historical account of civilian casualties from an incident with a submunition at a weapons testing range in Zimbabwe, a non-signatory state (in the period when the country was known as Rhodesia).

victims.<sup>5</sup> After its entry into force in 2010, the convention continues to set the highest legal standards for victim assistance.

Among the 14 States Parties which have had cluster munition casualties recorded, 12 have recognized responsibility for cluster munition victims. Methods and approaches for implementing victim assistance vary significantly, particularly between those States Parties which have hundreds or thousands of cluster munition casualties and those with few reported casualties.

## CLUSTER MUNITION REMNANTS CONTAMINATION

### CLUSTER MUNITION CONTAMINATION IN STATES PARTIES

#### States Parties that have completed clearance

When the Convention on Cluster Munitions entered into force on 1 August 2010, out of the 40 States to have ratified it, 17 reported Article 4 obligations for clearance, destruction of cluster munition remnants and the provision of risk education. Each of these States Parties was obliged to clear and destroy all cluster munition remnants in areas under its jurisdiction or control as soon as possible, but not later than 10 years after becoming party to the convention.

Six States Parties have formally reported completing clearance of contamination between 2010 and 2020, including Croatia<sup>6</sup> and Montenegro,<sup>7</sup> both of which declared fulfilment of their Article 4 obligations in July 2020, before their deadlines of 1 August 2020. However, Mauritania, which had reported fulfilment of its clearance obligations in September 2013, has since reported finding new cluster munition contamination.<sup>8</sup>

States Parties Albania, Guinea-Bissau, and Zambia all completed clearance before the convention came into force.<sup>9</sup>

No State Party completed clearance of cluster munition remnants in 2018 or 2019.

#### States Parties that have declared fulfilment of clearance obligations since 2010\*

Grenada	September 2012
Norway	September 2013
Mauritania	September 2013**
Mozambique	December 2016
Croatia	July 2020
Montenegro	July 2020

\* The Republic of the Congo was also contaminated by cluster munition remnants. It is believed this was addressed through survey and clearance in 2012, although the country has not made a formal declaration of clearance completion.

\*\*Mauritania has since reported finding new cluster munition remnants contamination.

<sup>5</sup> See, Convention on Cluster Munitions, Article 5 and Article 7(k). In contrast, the text relevant to victim assistance in the Mine Ban Treaty (1997) refers specifically to States Parties in a position to provide assistance, as does the text of Article 8.2 of the Convention on Conventional Weapons (CCW) Protocol V on Explosive Remnants of War (2003). The Treaty on the Prohibition of Nuclear Weapons Article 6.1 (not yet entered into force as of 15 September 2020), contains only the obligation of assistance, without the implementation provisions found in the Convention on Cluster Munitions.

<sup>6</sup> Letter No. 76/20 from the Permanent Mission of the Republic of Croatia to the United Nations (UN) Office in Geneva, to the Implementation Support Unit of the Convention on Cluster Munitions, 31 July 2020, [bit.ly/CroatiaLetter7620](http://bit.ly/CroatiaLetter7620).

<sup>7</sup> Letter from the Permanent Mission of Montenegro to the UN Office and other international organizations in Geneva, 29 July 2020.

<sup>8</sup> Mauritania Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F.

<sup>9</sup> See, Convention on Cluster Munitions, Country Profiles, [www.clusterconvention.org/country-profiles/](http://www.clusterconvention.org/country-profiles/).

## States Parties remaining to be cleared

As of 1 August 2020, 10 States Parties had Article 4 clearance obligations: Afghanistan, Bosnia and Herzegovina (BiH), Chad, Chile, Germany, Iraq, Lao PDR, Lebanon, Mauritania, and Somalia. Somalia became a State Party in 2015 and reported obligations under Article 4 in its initial Article 7 report in 2019.<sup>10</sup>

For some States Parties, including Colombia, Palau, and the United Kingdom (UK), the situation regarding contamination is unclear or has varying interpretations.

**Colombia** stated that it had no cluster munition remnants contamination on its territory in 2017 and no known evidence of contamination has been found,<sup>11</sup> however, no survey has been undertaken to confirm this.<sup>12</sup> An investigation showed that a World War II-type “cluster adapter” of United States (US) origin was used during an attack at Santo Domingo in 1998.<sup>13</sup> The Inter-American Human Rights Court found the Colombian Air Force used an AN-M1A2 bomb, which it said meets the definition of a cluster munition.<sup>14</sup>

**Palau** reported that in 2010, two World War II “cluster adapter” AN-M41A1 submunitions were identified and destroyed,<sup>15</sup> but since then no more have been located through survey or clearance. It is therefore believed that Palau is now free of cluster munitions, although it continues to suffer a high level of contamination from other World War II-era explosive remnants of war.<sup>16</sup>

The **UK**, due to its claim of sovereignty over the Falkland Islands/Islas Malvinas may have some residual cluster munition remnants contamination present within mined areas that are still to be cleared.<sup>17</sup> Additionally, there are estimated to be over 2,000 crates of AN-M1A1 and/or AN-M4A1 “cluster adapter” type bombs remaining in UK waters in the cargo of a sunken World War II ship off the east coast of England.<sup>18</sup> The UK has not reported any cluster munition contamination in its Article 7 reports.

10 Somalia Convention on Cluster Munitions Article 7 Report (for calendar year 2018), Form F, p. 13.

11 Colombia Convention on Cluster Munitions Article 7 Report (for calendar year 2017), Form F.

12 Email from Camilo Serna, Sub-Director, Colombian Campaign to Ban Landmines, 30 July 2020.

13 Organization of American States Inter-American Commission on Human Rights, “Masacre de Santo Domingo, Colombia, Caso 12.416” (“Massacre of Santo Domingo, Colombia, Case 12.416”), 22 April 2011.

14 Inter-American Human Rights Court, “Caso Masacre de Santo Domingo vs. Colombia” (“Case of the Santo Domingo Massacre vs. Colombia”), Official Summary of the Inter-American Human Rights Court, Judgment of 30 November, 2012, [www.corteidh.or.cr/docs/casos/articulos/seriec\\_259\\_esp.pdf](http://www.corteidh.or.cr/docs/casos/articulos/seriec_259_esp.pdf). The Colombian government reportedly paid a total of 5,700 million pesos to victims of the attack. See also, “Condenan a 30 años a dos oficiales por bombardeo a Santo Domingo” (“Two officers sentenced to 30 years for bombing Santo Domingo”), *El Tiempo*, 23 November 2017, [bit.ly/ElTiempoBombingSantoDomingo](http://bit.ly/ElTiempoBombingSantoDomingo).

15 Palau Convention on Cluster Munitions Article 7 Report (for calendar year 2010), Form F.

16 Norwegian People’s Aid (NPA), “Where We Work: Palau” undated, accessed on 20 July 2020, [bit.ly/NPA-Palau](http://bit.ly/NPA-Palau).

17 Argentina also claims sovereignty over the Falkland Islands/Islas Malvinas. The UK claims sovereignty over the Islands and exercises control over them. Mine Action Review includes the UK as a State Party with Article 4 clearance obligations. See Mine Action Review, “Clearing Cluster Munition Remnants 2019,” pp. 102–108.

18 The SS Richard Montgomery, carrying a cargo of munitions, was stranded and wrecked off the Thames Estuary, near Sheerness, in August 1944 and remains submerged there. The former UK Defence Evaluation and Research Agency has listed best estimates of the munitions which remain aboard the ship, including 2,297 cases of fragmentation bomb clusters with AN M1A1 and/or AN M4A1 “cluster adapter” submunitions. Surveys from November 2017 and April 2018 indicated that the wreck is generally stable but is showing accelerated levels of deterioration. See, “Masts to be cut from Thames Estuary wreck packed with explosives,” *BBC*, 4 June 2020, [www.bbc.com/news/uk-england-kent-52918221](http://www.bbc.com/news/uk-england-kent-52918221); Maritime and Coastguard Agency, “Report On The Wreck Of The SS Richard Montgomery,” November 2000, p. 20; and “Fears grow that WW2 wreck could explode on Kent coast,” *The Guardian*, 17 August 2019, [bit.ly/TheGuardianWartimeWreckExplosiveMunitions](http://bit.ly/TheGuardianWartimeWreckExplosiveMunitions).

## Extent of contamination

Massive cluster munition remnant contamination (over 1,000km<sup>2</sup>) exists in one State Party, Lao PDR, and large contamination (between 100–1,000km<sup>2</sup>) exists in one State Party, Iraq. Three States Parties are believed to have medium contamination (between 10–99km<sup>2</sup>). Five States Parties, Afghanistan, BiH, Germany, Lebanon, and Somalia have less than 10km<sup>2</sup> of contamination (see table below).

### Estimated area of cluster munition remnants contamination in States Parties

Over 1,000km <sup>2</sup>	100–1,000km <sup>2</sup>	10–99km <sup>2</sup>	Less than 10km <sup>2</sup>
Lao PDR	Iraq	Chad Chile Mauritania	Afghanistan BiH Germany* Lebanon Somalia

\* Germany has reported contamination not exceeding 11km<sup>2</sup>, and has reported 2.8km<sup>2</sup> cleared, hence the Monitor considers its contamination to be under 10km<sup>2</sup>.

**Lao PDR** is known to be the most heavily contaminated State Party. Contamination is confirmed to exist in 14 of its 17 provinces, and survey is ongoing in six of the most heavily contaminated provinces. The National Regulatory Authority (NRA) for the unexploded ordnance (UXO) Sector in Lao PDR reported to the Monitor that 1,177.55km<sup>2</sup> of confirmed hazardous areas (CHA) had been identified by the end of June 2020,<sup>19</sup> and it is expected that a complete picture of CHA in the six provinces will be available by June 2022.<sup>20</sup>

The Regional Mine Action Centre (RMAC) South in **Iraq** reported to the Monitor that as of the end of 2019, cluster munition remnants covered a total area of 178.64km<sup>2</sup> in the center and south of the country.<sup>21</sup> Cluster munition remnants are not reported as CHAs in the Kurdistan region of Iraq, although in the past operators have reported clearance of some cluster munition tasks.<sup>22</sup>

In its Article 4 revised deadline extension request of 29 June 2020, **Chile** stated that the current estimate of contamination in the country is 64.61km<sup>2</sup>. This is a reduction from the original estimate of almost 97km<sup>2</sup>, following the conduct of non-technical survey (NTS) which was completed in 2019.<sup>23</sup> However, Chile has stated that due to the usual procedures of the armed forces, unexploded submunitions may no longer exist,<sup>24</sup> suggesting that the actual area containing cluster munition remnants may be minimal.

**Chad's** national mine action center, the National High Commission for Demining (HCND), reported that 55.4km<sup>2</sup> are contaminated with cluster munition remnants, of which 55.05km<sup>2</sup> is classified as CHA and 0.35km<sup>2</sup> as suspected hazardous areas (SHA).<sup>25</sup>

<sup>19</sup> Response to Monitor questions from Chomyaeng Phengthogsawat, Director General, NRA, 22 June 2020; and UXO Operational Dashboard, undated, [www.nra.gov.la](http://www.nra.gov.la).

<sup>20</sup> Email from Olivier Bauduin, Office of Political-Military Affairs, US Department of State, 13 July 2020.

<sup>21</sup> Response to Monitor questionnaire by Haitham F. Lafta, Head of Operations and QA/QC, RMAC South, 14 April 2020.

<sup>22</sup> Mine Action Review, "Clearing Cluster Munition Remnants 2019", report for Iraq, p. 53, citing emails from Khatab Omer Ahmed, Planning Manager, Directorate General of Technical Affairs, Iraqi Kurdistan Mine Action Agency (IKMAA), 8 May 2018; and from Steven Warner, Desk Officer, Mines Advisory Group (MAG), 10 April 2018.

<sup>23</sup> Chile Convention on Cluster Munitions Article 4 Extension Request, 29 June 2020, pp. 4–5.

<sup>24</sup> Chile reports that "considering the usual procedures of the Chilean Armed Forces, which include the search and clearance of cluster munition remnants and UXOs by the EOD teams every time a military facility is used, it is highly possible that there are no more cluster munition remnants to be detonated in such polygons" (unofficial translation by ICBL-CMC), Chile Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F, p. 5.

<sup>25</sup> Response to Monitor questionnaire by Brahim Djibrim Brahim, Coordinator, HCND, 15 April 2020.

The initial new estimate of the contamination reported in **Mauritania** is 36km<sup>2</sup>, contaminated with BLU-63, M42 and MK118 submunitions.<sup>26</sup>

**Germany** has identified evidence of ShOAB-0.5 submunitions on or just below the natural ground surface (not exceeding some 30cm) over an area not exceeding 11km<sup>2</sup>.<sup>27</sup>

The **Lebanon** Mine Action Centre (LMAC) told the Monitor that as of the end of 2019, cluster munition remnant contamination covers 8.87km<sup>2</sup> in four areas: Bekaa, Mount Lebanon, and in the north and south of Lebanon.<sup>28</sup> This total includes 0.26km<sup>2</sup> of new contamination in the northeast of Lebanon, the result of a spillover from the Syrian crisis.<sup>29</sup> In 2018, Lebanon reviewed its recording of polygons and standardized the recording of clearance data within its database, which enabled it to establish a new baseline of 54.77km<sup>2</sup>,<sup>30</sup> of which almost 84% has now been cleared.<sup>31</sup> Lebanon hopes to have a clear picture of the remaining contamination by the end of 2020.<sup>32</sup>

The Directorate of Mine Action Coordination (DMAC) in **Afghanistan** has informed the Monitor of seven recorded cluster munition contaminated areas totaling 5.8km<sup>2</sup> in two provinces at the end of 2019, although it noted that there is some evidence, generated through local requests, of additional cluster munition contamination which requires investigation.<sup>33</sup>

**BiH** Mine Action Centre (BHMIC) reported to the Monitor that as of December 2019, a total of 2.31km<sup>2</sup> of cluster munition contamination remained in nine locations.<sup>34</sup> However, it stated at the Ninth Meeting of States Parties in Geneva in 2019 that 3.6 km<sup>2</sup> was “separated” as “non-conventionally contaminated areas” following NTS.<sup>35</sup> Information on the release of this land previously suspected to contain cluster munition contamination by methods other than clearance was not reported in its Article 7 report for 2019, and a report was not submitted for calendar year 2018.<sup>36</sup> BiH did not provide information to the Monitor on land released by NTS for the period 2010–2019. BiH needs to clarify if the area separated from recorded cluster munition contaminated areas is contaminated with unmodified KB-1 and/or KB-2 DPICM scattered individually as single submunitions,<sup>37</sup> or if these are locally-manufactured M93 rifle grenades with modified KB-1 and KB-2 cluster submunitions, which are not covered by the convention.

The extent of contamination in **Somalia** is unknown but thought to be small.

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- 26 Mauritania Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F.
- 27 Germany Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F, pp. 15–18.
- 28 Response to Monitor questionnaire by Fadi Wazen, Operations Section Head, LMAC, 9 April 2020; and Lebanon Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F, p. 14.
- 29 Lebanon Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F, p. 14.
- 30 Lebanon Convention on Cluster munitions Article 7 Report (for calendar year 2018), Form F, p. 15.
- 31 Lebanon Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F, p. 16.
- 32 Lebanon Convention on Cluster munitions Article 7 Report (for calendar year 2018), Form F, p. 15.
- 33 Response to Monitor questionnaire by Fazel Rahman, Operations Manager, DMAC, 16 April 2020. See also, Afghanistan Convention on Cluster Munitions Article 7 Report (for calendar year 2019), p. 17. The report states that a commercial company has reported some cluster munition contamination in remote parts of the Panjshir region.
- 34 Response to Monitor questionnaire by Ljiljana Ilic, BHMIC, 7 August 2020; and BiH Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F, p. 14.
- 35 Statement of BiH, Convention on Cluster Munitions Ninth Meeting of States Parties, Geneva, 2–4 September 2019.
- 36 BiH Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F, p. 14.
- 37 Being identical to and undisguisable from all other unexploded submunition contamination in the administrative areas where land has been reduced. Such contamination clearly constitutes cluster munition remnants according to the definitions of Article 2 of the Convention on Cluster Munitions. In Article 2. 6 of the convention, “Abandoned cluster munitions” means cluster munitions or explosive submunitions that have not been used and that have been left behind or dumped, and that are no longer under the control of the party that left them behind or dumped them. They may or may not have been prepared for use. According to Article 27 of the convention, “Cluster munition remnants” means failed cluster munitions, abandoned cluster munitions, unexploded submunitions and unexploded bomblets.

## CLUSTER MUNITION CONTAMINATION IN SIGNATORIES

Angola, the Democratic Republic of the Congo (DRC) and Uganda are all signatories to the Convention on Cluster Munitions.

**Uganda** completed clearance in 2008.

The extent to which **Angola** is affected by cluster munition remnants remains unclear. There is no confirmed contamination, but there may remain abandoned cluster munitions or unexploded submunitions. Cluster munition contamination was a result of decades of armed conflict that ended in 2002, although it is unclear when, or by whom, cluster munitions were used. In 2018, 85 submunitions were found and destroyed and in 2019, 164 submunitions were found and destroyed. These were destroyed through explosive ordnance disposal (EOD) callouts rather than clearance.<sup>38</sup>

The **DRC** is suspected to have some small remaining areas of cluster munition contamination, although the previously known areas have been cleared. Cluster munitions have been used during the conflicts in the DRC and the presence of cluster munition remnants was previously reported in four provinces. Norwegian People's Aid (NPA) cleared the last of these areas in Equateur in April 2017.<sup>39</sup> However, the Congolese Mine Action Center (Centre Congolais de Lutte Antimines, CCLAM) reported to the Monitor in August 2020 that they believed cluster munitions to be present in five provinces, although a survey would need to be conducted to confirm the extent of contamination.<sup>40</sup> The UN Mine Action Service (UNMAS) reported two types of cluster munition in the DRC, namely BL755 and PM-1.

## CLUSTER MUNITION CONTAMINATION IN NON-SIGNATORIES AND OTHER AREAS

Thirteen non-signatories and three other areas have, or are believed to have, land containing cluster munitions on their territories: Azerbaijan, Cambodia, Georgia, Iran, Libya, Serbia, South Sudan, Sudan, Syria, Tajikistan, Ukraine, Vietnam, Yemen, and other areas Kosovo, Nagorno-Karabakh and Western Sahara (see following table).

The only non-signatory to complete clearance of cluster munitions is Thailand, which reported clearance in 2011.



Cluster munition remnant found in a school in Vietnam.

© NPA, September 2019

- <sup>38</sup> Email from Robert Iga Afedra, Capacity Development Advisor, National Intersectoral Demining and Humanitarian Assistance Commission (Comissão Nacional Intersectorial de Desminagem e Assistência Humanitária, CNIDAH), 12 August 2020.
- <sup>39</sup> NPA, "DR Congo: Mine Action and Disarmament," undated, [bit.ly/NPA-DR Congo](https://bit.ly/NPA-DR Congo); and emails from Jean-Denis Larsen, NPA, 19 and 23 May 2017.
- <sup>40</sup> Response to Monitor questionnaire by Sudi Alimasi Kimputu, National Coordinator, CCLAM, 18 August 2020.

## Estimated area of cluster munition remnants contamination in non-signatories and other areas

Over 1,000km <sup>2</sup>	100–1,000km <sup>2</sup>	10–99km <sup>2</sup>	Less than 10km <sup>2</sup>
Vietnam	Cambodia	Azerbaijan Libya Syria Ukraine Yemen <i>Kosovo</i> <i>Nagorno-Karabakh</i>	Georgia Iran Serbia South Sudan Sudan Tajikistan <i>Western Sahara</i>

Note: Other areas are indicated in *italics*.

### Extent of contamination

The full extent of contamination in many of the non-signatories and other areas is not known. However, Vietnam is believed to have massive cluster munition remnant contamination (over 1,000km<sup>2</sup>), and Cambodia has large contamination (between 100–1,000km<sup>2</sup>). Contamination in both Vietnam and Cambodia results from intensive bombing by the US during the Vietnam War. Five non-signatories and two other areas are believed to have between 10–99km<sup>2</sup> of contamination, while six non-signatories and one other area are thought to have less than 10km<sup>2</sup>.

**Vietnam** is massively contaminated by cluster munition remnants, but no accurate estimate of the extent exists, even to the nearest hundred square kilometers. An explosive remnants of war (ERW) impact survey, which began in 2004 and was completed in 2014, was published in 2018. It found that 61,308km<sup>2</sup> or 19% of Vietnam's land surface area was affected by ERW, but did not specify if the area was affected by cluster munition remnants. However, cluster munition remnants are reported to affect 32 of Vietnam's 63 provinces and cities.<sup>41</sup> In Quang Tri province, one of the most heavily bombed areas in the country, survey is ongoing and the current estimate of total land contaminated by cluster munitions is 421.32km<sup>2</sup>.<sup>42</sup>

The estimate of the area contaminated by cluster munitions in **Cambodia** is increasing due to ongoing survey. As of December 2019, the Cambodian Mine Action Authority (CMAA) reported to the Monitor that the extent of cluster munition contamination in Cambodia was 709km<sup>2</sup> (CHA covering 74km<sup>2</sup> and SHA 635km<sup>2</sup>).<sup>43</sup> The cluster munition contamination is concentrated in northeastern provinces along the borders with Lao PDR and Vietnam.<sup>44</sup>

Non-signatories believed to have between 10–99km<sup>2</sup> of contamination include Azerbaijan, Libya, Syria, Ukraine, and Yemen, and the areas Kosovo and Nagorno-Karabakh.

Some contamination is believed to remain in **Azerbaijan** in areas occupied by Armenian forces, but the extent is not known.

Contamination in **Libya** is a consequence of armed conflict in 2011 and renewed conflict since 2014, which has resulted in widespread explosive ordnance contamination,

<sup>41</sup> Vietnam National Mine Action Center (VNMCA), "Report on Explosive Remnants of War Contamination in Vietnam Based on the 'Vietnam Explosive Remnants of War Contamination Survey and Mapping – Phase 1 Project'", 2018, p. 38.

<sup>42</sup> Quang Tri Mine Action Center (QTMAC) dashboard, undated, [www.qtmac.vn/en-us](http://www.qtmac.vn/en-us).

<sup>43</sup> Email from Ros Sophal, Database Unit Manager, CMAA, 23 July 2020.

<sup>44</sup> South East Asia Air Sortie Database, cited in D. McCracken, "National Explosive Remnants of War Study, Cambodia," NPA in collaboration with CMAA, March 2006, p. 15; Human Rights Watch (HRW), "Cluster Munitions in the Asia-Pacific Region," April 2008; and Handicap International (HI), *Fatal Footprint: The Global Human Impact of Cluster Munitions* (Brussels: HI, November 2006), p. 11.

concentrated in urban areas.<sup>45</sup> The extent of cluster munition remnants contamination is unknown. National authorities have reported that it is limited to a few areas.<sup>46</sup>

Ongoing conflict in **Syria** has increased all types of explosive hazards in the country. UNMAS reported that the draft 2020 Humanitarian Needs Overview records 11.5 million people living in 2,562 communities reporting explosive hazard contamination in the last two years.<sup>47</sup> The extent of cluster munition remnant contamination in Syria is not known, although in 2019, surveys of explosive hazards and contaminated areas were carried out in 605 different communities in order to inform risk education messaging and to prioritize areas for future surveying, marking and removal of explosive hazards.<sup>48</sup>

**Ukraine** has reported that unexploded submunitions contaminate the Donetsk and Luhansk regions.<sup>49</sup> The extent of contamination is not yet known.

In 2014, **Yemen** identified approximately 18km<sup>2</sup> of suspected cluster munition hazards, but the escalation of armed conflict since March 2015 has increased the extent of cluster munition contamination in northwestern and central Yemen.<sup>50</sup> In the south, with the exception of a few areas where the frontlines have shifted, there is no cluster munition contamination. The UN Development Programme (UNDP), which has established a mine action coordination center in the south of Yemen, has developed a heat map of suspected contamination.<sup>51</sup>

The **Kosovo** Mine Action Centre (KMAC) reported 14.34km<sup>2</sup> of cluster munition contamination in 45 affected areas at the end of 2019,<sup>52</sup> and in **Nagorno-Karabakh** the HALO Trust has reported 70.48km<sup>2</sup> of cluster munition contamination.<sup>53</sup>

Non-signatories Georgia, Iran, Serbia, South Sudan, Sudan and Tajikistan and the area Western Sahara each have less than 10km<sup>2</sup> of known contamination.

**Georgia** is believed to be free from cluster munition contamination, with the possible exception of South Ossetia. The extent of contamination in **Iran** and **Sudan** is not known but believed to be small.

**Serbia** reported a total of 2.3km<sup>2</sup> of contamination at the end of 2019, of which 0.9km<sup>2</sup> were CHA and 1.4km<sup>2</sup> were SHA.<sup>54</sup>

**South Sudan** submitted a voluntary Article 7 report for the year 2019 and reported 6.4km<sup>2</sup> of land contaminated by cluster munitions.<sup>55</sup> Cluster munitions are reported to be located in the areas of Yei in Central Equatorial state, Mundri in Western Equatorial state, Wau in Western Bar Ghazal state and Maban in Unity state.

45 Response to Monitor questionnaire by Thomas Calvot, HI, 20 May 2020; and UNMAS, “Programmes: Libya”, undated, [www.unmas.org/en/programmes/libya](http://www.unmas.org/en/programmes/libya).

46 Mine Action Review, “Clearing Cluster Munition Remnants 2019”, report for Libya, p. 138. The report cites an interview with Col. Turjoman, Director, Libyan Mine Action Centre (LibMAC), Geneva, 7 February 2019.

47 UNMAS, “Programmes: Syria”, undated, [www.unmas.org/en/programmes/syria](http://www.unmas.org/en/programmes/syria). This represents an increase from the 2019 Humanitarian Needs Overview report which reported 10.2 million people living in contaminated areas. UNOCHA, “Humanitarian Needs Overview 2019: Syrian Arab Republic”, March 2019.

48 UNMAS, “Programmes: Syria”, undated, [www.unmas.org/en/programmes/syria](http://www.unmas.org/en/programmes/syria).

49 National Security and Defense Council and State Emergency Services of Ukraine (SESU), “Humanitarian demining in Ukraine: current issues and challenges”, Mine Ban Treaty Fourteenth Meeting of States Parties, side-event, Geneva, 2 December 2015.

50 UNDP, “Grant Progress Report for 1 October–31 December 2015”, 25 January 2016.

51 Email from Stephen Bryant, Chief Technical MA Advisor, UNDP, 11 August 2020.

52 Email from Ahmet Sollova, Director of KMAC, 10 July 2020.

53 Email from Alina Aslanian, HALO Trust Program Officer, 30 July 2020.

54 Response to Monitor questionnaire by Stadjana Košutić, Senior Advisor for Planning, International Cooperation and European Integration, Serbian Mine Action Centre, March 2020.

55 South Sudan Convention on Cluster Munitions voluntary Article 7 Report (for calendar year 2019) p. 3.



**Tajikistan** reported to the Monitor 1.5km<sup>2</sup> of cluster munition contamination, all of which were CHA.<sup>56</sup>

For **Western Sahara**, the Polisario Front's Sahrawi Arab Democratic Republic (SADR) provided a voluntary Mine Ban Treaty Article 7 transparency report covering calendar year 2019 as well as the period of 2014 to 2019, and which provided information on cluster munition contamination.<sup>57</sup>

## CLUSTER MUNITION CASUALTIES

The total number of cluster munition casualties for all time, recorded by the Monitor, reached 22,050 as of the end of 2019. This includes both casualties directly resulting from cluster munition attacks and from unexploded remnants. The data begins from the mid-1960s, due to extensive cluster munition attacks by the United States (US) in Southeast Asia, through to the end of 2019.

As many casualties still go unrecorded, a better indicator of the total number of casualties globally over time is roughly 56,000, calculated from various country estimates, with a high-end total of estimates at some 86,000. Some global estimates of cluster munition casualties are as high as 100,000. However, these are based on extrapolations from limited data samples, which may not be representative of national averages or the actual number of casualties.<sup>58</sup> The countries with the highest recorded numbers of cluster munition casualties are Lao PDR (7,755), Syria (3,580), and Iraq (3,070). The total number of casualties recorded in Syria surpassed those recorded for Iraq in 2016.

Thousands of cluster munition casualties from past conflicts have gone unrecorded, particularly casualties that occurred during extensive use in Southeast Asia, Afghanistan and the Middle East (notably in Iraq, where there have been estimates of between 5,500 and 8,000 casualties from cluster munitions since 1991).<sup>59</sup> Before 2008, when the Convention on Cluster Munitions opened for signature, 13,306 recorded cluster munition casualties were identified globally.<sup>60</sup> Since then, the number of recorded casualties has increased due to updated casualty surveys identifying pre-convention casualties, new casualties from pre-convention remnants, as well as new use of cluster munitions during attacks and the remnants they have left behind.

## CLUSTER MUNITION CASUALTIES IN 2019

The Monitor recorded a total of 286 cluster munition casualties in 2019. These casualties occurred in nine countries, including four States Parties, and two other areas.<sup>61</sup> Civilians accounted for 99% of all casualties whose status was recorded in 2019, as was the case in 2018 and 2017, consistent with statistics on cluster munition casualties for all time due to the indiscriminate and inhumane nature of the weapon.

<sup>56</sup> Response to Monitor questionnaire by Muhabbat Ibrohimzoda, Director, Tajikistan National Mine Action Centre, 25 April 2020.

<sup>57</sup> Response to Monitor questionnaire by Bidi Salec, Information Management Officer, Sahrawi Mine Action Coordination Office (SMACO), 4 June 2020.

<sup>58</sup> Calculated by the Monitor based on known data and various countries estimates recorded in Humanity & Inclusion (formerly Handicap International, HI) data. HI, *Circle of Impact: The Fatal Footprint of Cluster Munitions on People and Communities* (Brussels: HI, May 2007), [bit.ly/MonitorHICircleofImpact2007](https://bit.ly/MonitorHICircleofImpact2007).

<sup>59</sup> Ibid., p. 104; and UNDP, "Cluster Munitions Maim and Kill Iraqis—Every Day," 10 November 2010, [bit.ly/UNDPClusterMunitionsIraq](https://bit.ly/UNDPClusterMunitionsIraq).

<sup>60</sup> Global cluster munition casualty data used by the Monitor includes the global casualty data collected by HI in 2006 and 2007. In 2007, HI reported an all-time total of 13,306 cluster munition casualties. See, HI, *Circle of Impact: The Fatal Footprint of Cluster Munitions on People and Communities* (Brussels: HI, May 2007), [bit.ly/MonitorHICircleofImpact2007](https://bit.ly/MonitorHICircleofImpact2007).

<sup>61</sup> The Monitor systematically collects data from a wide array of sources, including national reports, mine action centers, mine clearance operators, and victim assistance service providers, as well as national and international media reporting.

The total figure for annual casualties in 2019 includes those incurred at the time of attack (221) and from explosive cluster munition remnants (65). The real number of new casualties is likely to be much higher and fluctuations in some years may be due to variations in the availability of information and data at country level.

The 2019 total marks an increase from the total of 149 casualties recorded in 2018, which was the lowest annual global casualty figure since 2012 when the Monitor started recording cluster munition casualties from new use in Syria. The 2019 total is almost equivalent to the 289 casualties recorded in 2017, which marked a significant drop from the 971 cluster munition casualties recorded in 2016.

Overall, in 2019, 221 people were recorded killed or injured directly due to *cluster munition attacks* in Libya and Syria. This is an increase on the 65 casualties recorded in Syria in 2018, and the 196 casualties recorded in total due to attacks in Syria and Yemen in 2017. In 2016 and 2017, the only casualties from cluster munition attacks were recorded in Syria and Yemen.

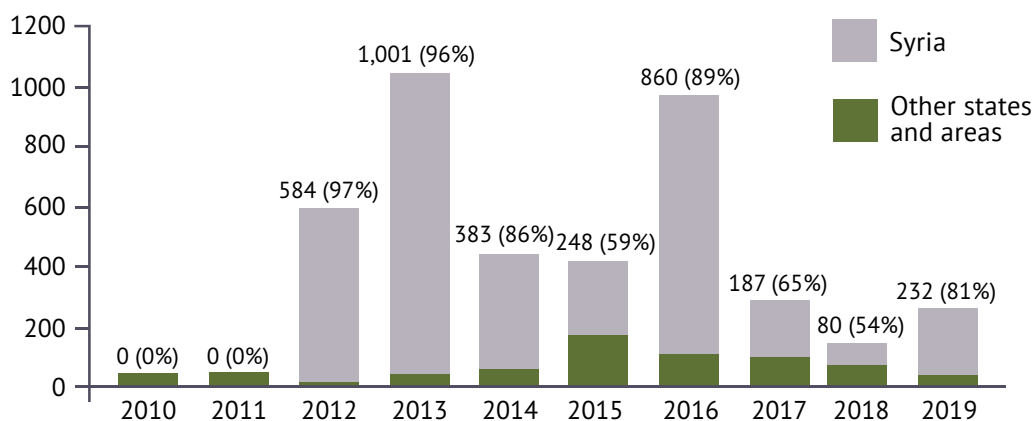
As has been the case for each year since 2012, the majority of annual cluster munition casualties in 2019 were recorded in Syria.<sup>62</sup> Overall, since 2012, 81% of all cluster munition casualties globally were recorded in Syria.

## Cluster munition casualties in 2019

Cluster munition attacks casualties	
Syria	219
Libya	2
Cluster munition remnants casualties	
<b>Iraq</b>	20
Syria	13
Yemen	9
<b>Afghanistan</b>	5
<b>Lao PDR</b>	5
<b>Lebanon</b>	5
Serbia	3
South Sudan	3
<i>Nagorno-Karabakh</i>	1
<i>Western Sahara</i>	1

Note: States Parties are indicated in **bold**, other areas in *italics*.

## Cluster munition casualties in Syria and in all other states and areas 2010–2019



Note: Numbers at the top of each bar indicate the total number of casualties in Syria.

## CLUSTER MUNITION CASUALTIES IN STATES PARTIES AND SIGNATORIES

Since 2010, new cluster munition remnant casualties were also recorded in seven States Parties: Afghanistan, Bosnia and Herzegovina (BiH), Chad, Croatia, Iraq, Lao PDR, and Lebanon; and in signatory, the Democratic Republic of the Congo (DRC).

<sup>62</sup> This data includes casualties from both attacks and cluster munition remnants.

In State Party Lao PDR, the world's most cluster munition-affected state, the number of submunition casualties continued to decrease from the 10-year high of 51 recorded in 2016 to five in 2019. Another 10 casualties in 2019 may have been due to unexploded submunitions, but the explosive item involved in each of those cases could not be adequately determined.

In 2017, in an account of the long-term humanitarian impacts of cluster munitions recorded during the reporting period, a 10-year-old girl picked up a submunition, known in Lao PDR as a "bombie," while walking to school in the northern province of Xieng Khouang. Thinking it was a toy, she took it to her home where it exploded, killing her and injuring another 11 people, including eight children—the youngest being three years old.<sup>63</sup>

The majority of all recorded cluster munition casualties for all time, 59%, occurred in States Parties. Casualties directly caused by attacks before the convention in States Parties have been grossly under-recorded, with no data or estimate available for Lao PDR, the most heavily bombed country.

### States Parties where cluster munition casualties have occurred (data for all time, as of 31 December 2019)<sup>64</sup>

State Party	Attacks	Remnants	Unknown	Total
Lao PDR	Unknown	7,755	0	<b>7,755</b>
Iraq	388	2,682	0	<b>3,070</b>
Afghanistan	25	760	0	<b>785</b>
Lebanon	16	734	0	<b>750</b>
Croatia	207	37	0	<b>244</b>
BiH	86	145	0	<b>231</b>
Albania	2	53	0	<b>55</b>
Colombia	44	0	0	<b>44</b>
Sierra Leone	28	0	0	<b>28</b>
Montenegro	4	4	1	<b>9</b>
Chad	Unknown	4	0	<b>4</b>
Guinea-Bissau	Unknown	Unknown	Unknown	<b>Unknown</b>
Mozambique	Unknown	Unknown	Unknown	<b>Unknown</b>
Somalia	Unknown	Unknown	Unknown	<b>Unknown</b>

A total of 604 casualties have been recorded in signatory states.<sup>65</sup>

### Signatories where cluster munition casualties have occurred (all time, as of 31 December 2019)

Angola	Liberia
DRC	Uganda

<sup>63</sup> Casualty data for 2017 in Lao PDR received by email from Bountao Chanthavongsa, UXO Victim Assistance Officer, NRA, 21 February 2018; and, Legacies of War, "Four-Decade-Old Bomb Mistaken for Toy, Kills and Injures 13 in Laos," 23 March 2017, [bit.ly/LegaciesOfWar23Mar2017](http://bit.ly/LegaciesOfWar23Mar2017).

<sup>64</sup> No precise number or estimate of casualties is known for Guinea-Bissau, Mozambique, or Somalia. In addition, there are known to be countries, including States Parties to the Convention on Cluster Munitions, with cluster munition victims, including persons who were injured on the territory of other states.

<sup>65</sup> In *Cluster Munition Monitor 2019*, Liberia has been added as a country with cluster munition casualties due to a casualty reported in newly identified incidents that occurred during cluster munition attacks in the 1990s.

## Data collection for casualties and victim assistance

Article 5 of the convention requires that States Parties with victims make “every effort to collect reliable relevant data” and assess the needs of cluster munition victims. The Dubrovnik Action Plan commits States Parties to the ongoing assessment of those needs. Although data is collected on casualties, often little is known or reported about the actual number of families and communities affected by cluster munitions, who are also victims by definition. Available information indicates that their needs are likely to be extensive.

Afghanistan was finalizing a national health and disability information system, and in a related project, was registering persons with war-related disabilities to provide them with pensions.<sup>66</sup> In Lao PDR, the National Regulatory Authority (NRA) Survivor Tracking System, a system for collecting data on new casualties, is designed to provide an ongoing survey of all survivors’ needs.<sup>67</sup> In 2019, data on services provided was available through the NRA online Operations Dashboard.<sup>68</sup> BiH continued to report that further survey was needed to establish detailed information on cluster munition victims, specifically those who had already been identified through initial survey. Both Croatia and Lebanon needed to revise or combine their national victim databases, and a much-delayed victim survey in Croatia was expected to start in the first half of 2020.<sup>69</sup> The Lebanon Mine Action Center (LMAC) completed the first phase of a national needs assessment of mine/explosive remnants of war (ERW) and cluster munition victims, in 2010, prior to the convention’s entry into force for the country.<sup>70</sup> In 2013,

LMAC, along with the UN Development Programme (UNDP), launched a survey focused on 690 victims (survivors and deceased) and their families.<sup>71</sup>

A mine/ERW victim census was planned to be conducted in Chad in order to update the national database.<sup>72</sup> Further survey was needed in order to identify cluster munition victims and/or needs in Guinea-Bissau, Iraq, Montenegro, and Sierra Leone. Mauritania and Zambia had yet to conduct initial surveys to identify or confirm if they have cluster munition victims.



Injured during an airstrike near a market in Sanaa, Yemen, this 10-year-old boy has been receiving a prosthesis as well as psychosocial support and group sessions. He has also been attending rehabilitation sessions at PPC-Physiotherapy and Prosthetic Center.

© ISNA Agency/HI, September 2019

## CLUSTER MUNITION CASUALTIES IN NON-SIGNATORY STATES AND OTHER AREAS

In non-signatory states and areas, 8,471 cluster munition casualties have been recorded for all time. This data includes countries that remain affected long after the attacks took place, such as Cambodia and Vietnam; as well as those that have had new casualties due to more recent attacks occurring since entry into force of the convention in Syria, Ukraine, and Yemen.

<sup>66</sup> Afghanistan Convention on Cluster Munitions Article 7 Report (calendar year 2019).

<sup>67</sup> Lao PDR Convention on Cluster Munitions Article 7 Report (calendar year 2015), Form H; Lao PDR Convention on Cluster Munitions Article 7 Report (calendar year 2014), Form H; interview with Bountao Chanthavongsa, NRA, Vientiane, 11 June 2015; and statement of Lao PDR, Convention on Cluster Munitions Sixth Meeting of States Parties, Geneva, 6 September 2016.

<sup>68</sup> NRA, “Operations Dashboard,” undated, [www.nra.gov.la/report.php](http://www.nra.gov.la/report.php).

<sup>69</sup> Croatia, CCW Amended Protocol II Article 13 Report (for calendar year 2019), Form B.

<sup>70</sup> The survey covered people affected in the period from July 2006 to the end of 2010. Email from Col. Rolly Fares, Head of Information Management and Victim Assistance Section, LMAC, 31 May 2011.

<sup>71</sup> LMAC, “National Victim Needs Assessment Survey,” 1 June 2013, [bit.ly/LMACVictimNeedsSurvey](http://bit.ly/LMACVictimNeedsSurvey).

<sup>72</sup> Chad, Mine Ban Treaty Fourth Article 5 Extension Request, 13 August 2019, p. 29.

Data was often severely lacking for casualties that were killed and injured during cluster munition attacks, including those among military personnel and other direct participants in conflict, such as combatants in non-state armed groups and militias. However, since 2010, recording of the impact of cluster munition attacks has improved significantly, and casualties recorded from attacks have outnumbered those due to cluster munition remnants. Of all recorded casualties which occurred during cluster munition attacks for all countries and areas for all time (4,514), just under half (2,102) of those casualties were reported in Syria since 2012.

Since 2010, cluster munition remnant casualties have occurred in eight non-signatory states: Cambodia, Libya, Serbia, South Sudan, Sudan, Ukraine, Vietnam, and Yemen; and three other areas: Kosovo, Nagorno-Karabakh, and Western Sahara.

### Non-signatories where cluster munition casualties have occurred (all time, as of 31 December 2019)

Cambodia	Israel	Serbia	Tajikistan	<i>Kosovo</i>
Eritrea	Kuwait	South Sudan	Ukraine	<i>Nagorno-Karabakh</i>
Ethiopia	Libya	Sudan	Vietnam	<i>Western Sahara</i>
Georgia	Russia	Syria	Yemen	

Note: other areas are indicated in *italics*.

## ADDRESSING THE IMPACT

### COORDINATION

#### CLEARANCE COORDINATION

In 2019, clearance programs in eight States Parties with remaining contamination, Afghanistan, Bosnia and Herzegovina (BiH), Chad, Iraq, Lao PDR, Lebanon, Mauritania, and Somalia, were coordinated through national mine action centers. The Ministry of National Defense is responsible for overseeing mine action in Chile, and the Federal Ministry of Defense in Germany is similarly responsible for overseeing clearance activities.

The Directorate of Mine Action Coordination (DMAC) in Afghanistan took over full management of the Mine Action Programme of Afghanistan from the UN Mine Action Service (UNMAS) as of 1 June 2019, although UNMAS and the United States (US) continue to financially support DMAC.<sup>73</sup>

States Parties Afghanistan, BiH, Chad, Germany, Iraq, Lao PDR, Lebanon, and Somalia had a mine action strategy or plan in place in 2019, but not all included reference to cluster munition contamination and clearance. Chile had a plan for the execution of demining activities for the year 2019, but still needs to develop a full plan or strategy for the clearance of cluster munitions in its extension request.<sup>74</sup> The Lao PDR strategy, “The Safe Path Forward” was reviewed in 2015, and its 2019 Article 4 Extension Request provided a workplan for the period August 2020–July 2025.<sup>75</sup>

States Parties Afghanistan, BiH, Chad, Iraq, Lao PDR, Lebanon, and Somalia had national standards in place which are consistent with the International Mine Action Standards (IMAS), although the standards in Chad and Somalia do not include cluster munition remnant clearance and survey. Chile uses IMAS and a Joint Demining Manual for its Armed Forces, and clearance and survey in Germany are conducted according to German federal legislation.

<sup>73</sup> Response to Monitor questionnaire from Fazel Rahman, Operations Manager, Directorate of Mine Action Coordination (DMAC), Afghanistan, 16 April 2020.

<sup>74</sup> Observation and Comments of the Convention on Cluster Munitions Article 4 Analysis Group on the Extension Request submitted by Chile in accordance with Article 4.5 of the Convention, 2020, p. 1.

<sup>75</sup> Lao PDR Convention on Cluster Munitions Article 4 Extension Request, pp. 20–21 and Annex 10.

Seven of these States Parties<sup>76</sup> use the Information Management System for Mine Action (IMSMA), including Chile. BiH has its own database, with a specific database for cluster munition contamination (CM BHMAL). BiH Mine Action Center (BHMAL) reported that this database needs to be updated.<sup>77</sup> Germany uses its own information management system.<sup>78</sup>

## RISK EDUCATION COORDINATION

In 2019, 10 States Parties had institutions in place for coordinating risk education, namely Afghanistan, BiH, Chad, Chile, Croatia, Iraq, Lao PDR, Lebanon, Mauritania, and Somalia. In most cases the risk education program is coordinated by the mine action center, although for the school-based programs in Chile, Iraq, and Lao PDR, the Ministry of Education takes on a coordination role. In Croatia, the Civil Protection Directorate was responsible for risk education. Regular risk education meetings took place in 2019 in States Parties Afghanistan, Iraq, Lao PDR, and Lebanon. Chad and Somalia reported risk education matters were discussed during mine action coordination meetings.<sup>79</sup>

Risk education strategies are included within the national mine action strategies of Afghanistan, BiH, and Lao PDR. Lebanon had a national-level risk education curriculum to guide implementation.<sup>80</sup>

Afghanistan, BiH, Chad, Iraq, Lao PDR, and Lebanon all have national standards for risk education. In 2019, Lebanon reported the revision of national standards for risk education.<sup>81</sup> Afghanistan reported a comprehensive clean-up of risk education data in 2019, including classifying risk education programs and activity types, and developing guidelines for quality management inspectors.<sup>82</sup>

## INVOLVEMENT OF VICTIMS IN COORDINATION

States Parties to the Convention on Cluster Munitions have committed to actively include cluster munition victims and their representative organizations in policy- and decision-making, so that their participation is made sustainable and meaningful.

In most States Parties to the convention, survivors were engaged in relevant activities, but generally there was no indication that survivors' views were actively considered or acted upon.

In BiH, a victim assistance coordination body was officially established on 23 May 2018. Survivors' representatives were involved in the two unofficial coordination meetings held in 2019 and advocated for official coordination. Somalia held survivor assistance meetings in early 2019. Coordination began again some five years after the first and only previous coordination meeting on victim assistance in Somalia, held in 2014. Croatia has not held any victim assistance coordination meetings in recent years. Montenegro and Sierra Leone were the only states where the Monitor has not identified any survivor involvement in victim assistance activities since entry into force of the Convention on Cluster Munitions. Nevertheless, disabled peoples' organizations (DPOs) in both countries advocated for the rights of all persons with disabilities. The Sierra Leone Union on Disability Issues (SLUDI) requested the official state appointment of persons with disabilities to high-level governance positions where they can influence decisions that affect them and counter existing marginalization and discrimination at all levels.

<sup>76</sup> Afghanistan, Chad, Chile, Iraq, Lao PDR, Lebanon, and Somalia.

<sup>77</sup> BiH Convention on Cluster Munitions Article 7 Report (for calendar year 2019), p. 23.

<sup>78</sup> Germany Convention on Cluster Munitions Article 4 Extension Request, Answers to the Analysis Group, 8 February 2019, p. 5.

<sup>79</sup> Response to Monitor questionnaire by Brahim Djibrim Brahim, Coordinator, HCND, 15 April 2020; and by Hussein Ibrahim Ahmed, UNMAS, 9 May 2020.

<sup>80</sup> Response to Monitor questionnaire by Habbouba Aoun, Landmines Resource Centre, University of Balamand, 9 June 2020.

<sup>81</sup> Lebanon Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form G, p. 18.

<sup>82</sup> Afghanistan Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form G, pp. 19–20.

## Mine action management and coordination

State Party	Coordination mechanism	Clearance strategy	Risk education coordination	Risk education strategy	Victim assistance plan
Afghanistan	DMAC	Strategy 2016–2020 Workplan 2013–2023	DMAC through a RE TWG	Included in Mine Action strategy	National disability strategy (draft under review)
BiH	BHMAC	Strategy 2019–2025	BHMAC	Sub-strategy for risk education 2009–2019	New victim assistance strategy being drafted
Chad	National Mine Action Authority in Chad (HCND)	National Mine Action Plan 2014–2019	HCND	No current strategy	No current plan
Chile	Ministry of Defense (MoD)	Partial	MoD in coordination with Ministry of Education	N/R	No current plan
Croatia	Ministry of the Interior/ Civil Protection Directorate (Croatian Mine Action Center is a department)	Revised National Mine Action Strategy for 2020–2026	Ministry of the Interior, through the Civil Protection Directorate and Police Directorate	N/R	No current plan
Germany	MoD	Yes	N/A	N/A	N/A
Iraq	Directorate of Mine Action (DMA) & Iraqi Kurdistan Mine Action Agency (IKMAA)	Prioritization Strategy	DMA and Ministry of Education	N/R	Plan drafted and adopted
Lao PDR	National Regulatory Authority for the UXO Sector (NRA)	Safe Path Forward 2016–2020	NRA through a RE TWG and Ministry of Education	Sub-section on RE in UXO sector strategy	UXO/mine Victim Assistance Strategy 2014–2020
Lebanon	Lebanon Mine Action Centre (LMAC)	Strategy 2020–2025	LMAC through RE Steering Committee	RE Curriculum	2011–2020 National Mine Action Strategy
Mauritania	National Humanitarian Demining Programme for Development (PNDHD)	No strategy	PNDHD	No strategy	No plan

State Party	Coordination mechanism	Clearance strategy	Risk education coordination	Risk education strategy	Victim assistance plan
Montenegro	Directorate for Emergency Situations, Ministry of Interior	No strategy	N/A	N/A	Integrated in state planning
Sierra Leone	N/A	N/A	N/A	N/A	Disability planning
Somalia	Somali Explosive Management Authority (SEMA)	Strategy 2018–2020	SEMA	No strategy	Draft plan launched in November 2019

Note: N/A=not applicable; N/R=not reported; RE=risk education; TWG=technical working group.

## VICTIM ASSISTANCE PLANNING

Among States Parties with cluster munition victims, only Sierra Leone did not have a designated victim assistance focal point, which was an action set forth in the Dubrovnik Action Plan with the deadline of the end of 2016.

Through the Dubrovnik Action Plan, States Parties without a national disability action plan committed to draft a disability or victim assistance plan before the end of 2018.

As of the end of 2019, six States Parties had current planning in place for victim assistance: Albania, BiH, Colombia, Lao PDR, Lebanon, and Mozambique. Mozambique has not reported on implementation of its specific victim assistance planning and has remained focused on the earlier broad national disability plan, which also includes references to victim assistance. Chad has not yet adopted a revised plan, while Somalia has developed a draft plan that was launched at the end of 2019. Afghanistan developed a new national disability strategy. This was the first draft to be completed since the previous strategy for 2008–2011 expired, which was before Afghanistan became a State Party to the Convention on Cluster Munitions in March 2012. Afghanistan's draft strategy was under review in 2019.<sup>83</sup> Iraq was using annually updated plans, but in 2018 began the process of developing a national victim assistance and disability strategy with the Mine Ban Treaty Implementation Support Unit and European Union (EU) funding. Croatia has not replaced its plan that expired in 2014. Montenegro and Sierra Leone did not have an active victim assistance plan in place but did have disability-related activities coordinated at the national-level.

## REGIONAL COOPERATION

During 2019, the Association of Southeast Asian Nations (ASEAN) Regional Mine Action Centre (ARMAC)—operational since 2018—implemented a project to “Enhance Awareness Programmes on the Dangers of Mines/Explosive Remnants of War [ERW] among ASEAN members states.” The project involved research and consultative meetings on risk education between July and September 2019 in the five ASEAN states affected by mines and ERW, including State Party Lao PDR, and non-signatories Cambodia, Myanmar, Thailand, and Vietnam. An ARMAC side-event was held in November 2019 at the Fourth Review Conference of the Mine Ban Treaty in Oslo, and a regional consultative meeting with all ASEAN state members was held in Siem Reap, Cambodia on 6 February 2020 to

<sup>83</sup> Afghanistan Mine Ban Treaty Article 7 Report (for calendar year 2019), Form J.



finalize the study.<sup>84</sup> Phase 2 of the project will involve the implementation of the study recommendations for an integrated approach<sup>85</sup> to risk education in projects in the region.<sup>86</sup>

ARMAC also has responsibility to support victim assistance in the region and during 2019 was in the development phase of establishing a regional platform to promote experience, knowledge, expertise and exchange on victim assistance among ASEAN member states.<sup>87</sup>

In Europe, the South-Eastern Europe Mine Action Coordination Council (SEEMACC) was established through the agreement of the directors of mine action centers in Albania, BiH, Croatia, and ITF Enhancing Human Security.<sup>88</sup> In 2020–2021 SEEMACC will implement a project to support regional capacity through the development of criteria for training and implementation of humanitarian demining, victim assistance and risk education.<sup>89</sup>

The UN Development Programme (UNDP) in Lebanon, in coordination with the Norwegian Embassy, the Office of the UN High Commissioner for Refugees (UNHCR), the UN Children's Fund (UNICEF) and LMAC, was developing a project focusing on support to reduce risk for Syrian refugees in Lebanon in the prospect of their return home.<sup>90</sup>

## CLUSTER MUNITION REMNANTS CLEARANCE

### CLEARANCE IN 2019

In 2019, approximately 82km<sup>2</sup> of cluster munition contaminated land was cleared by States Parties, an increase from 76km<sup>2</sup> cleared in 2018. At least 96,533 submunitions were cleared and destroyed in 2019.

About 78% of this area clearance was undertaken in **Lao PDR**, which cleared a total of 64.95km<sup>2</sup>, including 46.42km<sup>2</sup> of agricultural land and 18.53km<sup>2</sup> for development.<sup>91</sup> This was an increase of 2.88km<sup>2</sup> from the previous year. The number of cluster munition remnants destroyed in Lao PDR also increased in 2019, with a total of 80,247 submunitions destroyed, an increase from the 78,974 recorded in 2018.<sup>92</sup> Lao PDR requested and received a five-year extension to its Article 4 deadline in 2019.

**Croatia** completed clearance of cluster munitions in July 2020. It cleared 0.04km<sup>2</sup> in 2019. Since 2010 until the end of 2019, Croatia reported the release of 5.28km<sup>2</sup>, with a remaining 0.03km<sup>2</sup> to be cleared during 2020. Throughout the 10-year period, Croatia reported having cleared and destroyed more than 3,100 cluster munition remnants.<sup>93</sup>

84 Hal Judge, "Report on Integrated Approaches to EORE in ASEAN Members States," (Phnom Penh, ARMAC, April 2020), [bit.ly/ARMACIntegratedApproachestoEORE](http://bit.ly/ARMACIntegratedApproachestoEORE).

85 ARMAC refers to an "integrated approach" as linking risk education within other mine action activities and relief and development efforts. See Lydia Davies, "An Introduction to Integrated Approaches to Mine Risk Education", in ARMAC "Exploring Mine/ERW Risk Education in ASEAN," February 2020, pp. 6–7, [bit.ly/ARMACMagazineFeb2020](http://bit.ly/ARMACMagazineFeb2020).

86 Personal communication with Dwi Prameswari, ARMAC, Skype call, May 2020.

87 ARMAC, "Projects and Programmes: Victim Assistance," undated, [bit.ly/ARMACProjectsProgrammesVA](http://bit.ly/ARMACProjectsProgrammesVA).

88 ITF Enhancing Human Security is a humanitarian, non-profit organization established by the Government of Slovenia in March 1998, with the initial purpose to help BiH in the implementation of the peace agreement and post-conflict rehabilitation. See: [www.itf.si/about-us/itf-in-a-nutshell](http://www.itf.si/about-us/itf-in-a-nutshell).

89 ITF Enhancing Human Security, "Regional Activities: SEEMACC," undated, [www.itf.si/seemacc](http://www.itf.si/seemacc).

90 Lebanon Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form G, pp. 18–20.

91 Lao PDR CCW Protocol V Article 10 Report (for calendar year 2019), Form A.

92 Lao PDR Convention on Cluster Munitions, Article 7 Report (for calendar year 2019), Form F, p. 7; and CCW Protocol V Report (for calendar year 2019), Form A, p. 2. The Mine Action Review records higher figures for clearance of submunitions in 2018, at 90,798. See Mine Action Review, "Clearing Cluster Munition Remnants 2019," 1 August 2019, p. 62.

93 Response to Monitor questionnaire by Civil Protection Directorate, 28 April 2020; and Letter No. 76/20 from the Permanent Mission of the Republic of Croatia to the UN Office in Geneva, to the Implementation Support Unit of the Convention on Cluster Munitions, 31 July 2020, [bit.ly/CroatiaLetter7620](http://bit.ly/CroatiaLetter7620).



Deminer at work around Podgorica Airport, in Montenegro, a few weeks before the country announced completion of its clearance obligation.

©Kristian Skeie/NPA, March 2020

**Montenegro** declared completion of clearance of all cluster munitions in July 2020. No clearance was reported in 2013–2017. In 2018, 0.01km<sup>2</sup> was cleared with six submunitions destroyed. In 2019, 0.78km<sup>2</sup> was cleared with 64 submunitions destroyed.<sup>94</sup> In its most recent Article 7 transparency report covering calendar year 2019, Montenegro stated that the size of the remaining contaminated area in the country was 1.72km<sup>2</sup>, which suggests that the remaining 0.93km<sup>2</sup> of contaminated land was released in the first half of 2020.

**Iraq** reported to the Monitor clearance of 6.29km<sup>2</sup> of cluster munition contaminated land in 2019 and the removal of 9,996 submunitions, which was a decrease in the amount of land cleared compared to 2018, but an increase in the number of submunitions cleared.<sup>95</sup>

**Chad** has conducted limited survey in the past. Chad reported the clearance of 4.33km<sup>2</sup> in 2019. Eighteen submunitions were found during clearance and destroyed.<sup>96</sup>

**Afghanistan** reported to the Monitor that 2.72km<sup>2</sup> of cluster munition contaminated land was cleared in 2019 with 86 submunitions destroyed.<sup>97</sup> This is a decrease from the 4.2km<sup>2</sup> cleared in 2018, when 217 submunitions were destroyed.<sup>98</sup>

**Lebanon** reported 1.26 km<sup>2</sup> of clearance in 2019.<sup>99</sup> This was an increase from its 2018 figure of 1.14km<sup>2</sup> cleared. A total of 4,037 submunitions were cleared and destroyed in 2019. Lebanon requested a five-year extension to its Article 4 deadline in 2020.

**Germany** only began clearance in 2017, six years after it reported contamination. Germany requested an extension to its Article 4 deadline in 2019. Germany has a time-bound plan that estimates the clearance of 1.5–2km<sup>2</sup> (150–200 hectares) per year, with completion likely by 2024.<sup>100</sup> Germany reported that it cleared 2.8km<sup>2</sup> between 2017 and 2019,<sup>101</sup> which means that its current clearance is below its projected output.

**Bosnia and Herzegovina (BiH)** reported clearing 0.72km<sup>2</sup> of contaminated land in 2019.<sup>102</sup> No Article 7 report was submitted by BiH for calendar year 2018. BiH's 2018 annual report on mine action produced by BiH Mine Action Centre (BHMIC) stated that 0.28km<sup>2</sup> was cleared in 2018 and 1,009 submunitions were destroyed.<sup>103</sup> In 2019, BiH reported a further 3.6km<sup>2</sup> was "separated" from the total recorded cluster munition contamination during non-technical survey (NTS) due to it being considered "non-conventionally contaminated."<sup>104</sup> It was not reported to what extent previous clearance occurred in these areas.

<sup>94</sup> Montenegro Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F, p. 15.

<sup>95</sup> Response to Monitor questionnaire by Haitham F. Lafta, Head of Operations and QA/QC, RMAC South, 14 April 2020. Cluster munition remnant clearance in Iraq was conducted by EOD teams affiliated with the Ministry of Defense Military Engineering, and in coordination with RMAC and other clearance organizations.

<sup>96</sup> Response to Monitor questionnaire by Brahim Djibrim Brahim, Coordinator, HCND, 15 April 2020.

<sup>97</sup> Email from Ahmad Fahim, Data/GIS Associate, DMAC, 27 August 2020. This figure for clearance is different from the 3.6km<sup>2</sup> reported in Afghanistan's Article 7 Report for 2019, but it was confirmed as the correct figure by DMAC.

<sup>98</sup> Ibid.; and Afghanistan Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F, p. 15.

<sup>99</sup> Lebanon Convention on Cluster Munitions Article 7 Report (for calendar year 2019) Form F, p. 15.

<sup>100</sup> Germany Convention on Cluster Munitions Article 4 Extension Request, 2019, p. 3 and p. 40.

<sup>101</sup> Germany Convention on Cluster Munitions Article 7 Report (for calendar year 2019) Form F, p. 17.

<sup>102</sup> BiH Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F, p. 15.

<sup>103</sup> BiH Ministry of Civil Affairs, BiH Demining Commission, BHMIC, "Izveštaj o Protiuminskom Djelovanju za 2018 Godinu" ("Report on Mine Action in Bosnia and Herzegovina for 2018"), 2019.

<sup>104</sup> Statement of BiH, Convention on Cluster Munitions Ninth Meeting of States Parties, Geneva, 2–4 September 2019.

**Chile** prioritized the clearance of landmines over the clearance of cluster munitions<sup>105</sup> and has not yet conducted any clearance of cluster munition remnants, despite having become a State Party to the Convention on Cluster Munitions in December 2010. Chile requested an extension for clearance of cluster munitions in January 2020. While no clearance took place in 2019, it was reported that NTS of the areas was completed, reducing the reported 96.88km<sup>2</sup>, by 32.27km<sup>2</sup>, and leaving the remaining suspected area at 64.61km<sup>2</sup>.<sup>106</sup>

**Somalia** reported six contaminated areas on its historical database and there have been reports of munitions in Southwest State, Jubaland State and Puntland, However, no clearance or survey has been reported.<sup>107</sup>

**Mauritania**, which announced new unreported contamination in 2019, has yet to conduct survey or clearance.

### Cluster munition remnants clearance in 2018–2019<sup>108</sup>

State Party	2018		2019	
	Clearance (km <sup>2</sup> )	CMR destroyed	Clearance (km <sup>2</sup> )	CMR destroyed
Afghanistan	4.2	217	2.72	86
BiH	0.28	1,009	0.72	85
Chad	0	0	4.33	18*
Chile	0	0	0	0
Croatia	0.86	571	0.04	186
Germany	0.98	1,537	1.35	1,814
Iraq	7.16	3,743	6.29	9,996
Lao PDR	62.07	78,974**	64.95	80,247***
Lebanon	1.14	3,583	1.26	4,037
Mauritania	0	0	0	0
Montenegro	0.01	6	0.78	64
Somalia	0	0	0	0
<b>Total</b>	<b>76.70</b>	<b>89,640</b>	<b>82.44</b>	<b>96,533</b>

Note: CMR=cluster munition remnants; ERW=explosive remnants of war.

\* Reported 21 containers but not specified if loaded.

\*\* Total ERW destroyed: 97,624, including 31 mines, 148 big bombs, and 18,471 other ERW.

\*\*\* Total ERW destroyed: 101,512, including 40 mines, 170 big bombs, and 21,055 other ERW.

<sup>105</sup> Chile Convention on Cluster Munitions Article 4 Extension Request, January 2020, p. 8.

<sup>106</sup> Chile Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F, p. 6.

<sup>107</sup> Somalia Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F, p. 8.

<sup>108</sup> For BiH clearance data: BiH Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F. BiH's extension request submitted in September 2020 reports that 146 submunitions were cleared and destroyed, and 0.44km<sup>2</sup> of land cleared in 2019. BiH Convention on Cluster Munitions Article 4 Extension Request, 23 September 2020, p. 6. BiH Ministry of Civil Affairs, BiH Demining Commission, BHMAL, 2019 "Izvještaj o Protiuminskom Djelovanju za 2018 Godinu" ("Report on Mine Action in Bosnia and Herzegovina for 2018"), p. 17. Mine Action Review reports that BiH cleared 0.44km<sup>2</sup> in 2018. See Mine Action Review, "Clearing Cluster Munition Remnants 2019," p. 18. For Iraq clearance data: figures were provided by email by Haitham F. Lafta, Head of Operations and QA/QC, RMAC South, 14 April 2020 and 13 August 2020. In 2018, 5.5km<sup>2</sup> of land was cleared and 3,629 submunitions were cleared and destroyed by RMAC South including BLU 63, BLU 61, BLU 97 and M24, while 1.66km<sup>2</sup> of land was cleared and 114 submunitions were destroyed by RMAC North including BLU 63 and BLU 97. For Germany clearance data: Germany has provided cumulative figures for 2017–2019. The annual figures are based on calculations by the Monitor, based on these cumulative figures. The total cumulative figure of clearance completed in 2017–2019 is 2.8km<sup>2</sup> and 3,864 items of cluster munition remnants destroyed. See also, Germany Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F.

## CLEARANCE 2010–2019

In the 10 years since the signing of the Convention on Cluster Munitions, almost 560km<sup>2</sup> of land has been cleared in States Parties, with at least 452,938 submunitions cleared and destroyed.<sup>109</sup> State Party Lao PDR has cleared the most amount of land (80% of the total) and destroyed the greatest number of submunitions (79% of the total) during the 10-year period. Chile has yet to clear any land of cluster munition remnants.

### Cluster munition remnants clearance in 2010–2019<sup>110</sup>

State Party	2010–2019	
	Clearance (km <sup>2</sup> )	CMR destroyed
Afghanistan	9.74	315
BiH	2.37	2,718
Chad	4.33	18
Chile	0	0
Croatia	5.28	3,100
Germany	2.80	3,864
Iraq	68.44	49,704
Lao PDR	448.63	357,846
Lebanon	14.87	34,063
Mauritania	1.96	1,246
Montenegro	0.79	64
Somalia	0	0
<b>Total</b>	<b>559.21</b>	<b>452,938</b>

Note: CMR=cluster munition remnants.

<sup>109</sup> The figures reflect the data on clearance and ordnance destroyed that was reported by States Parties or is publicly available.

<sup>110</sup> For Afghanistan clearance data: email from Ahmad Fahim, Data/GIS Associate, DMAC, 27 August 2020. The figures provided to the Monitor by DMAC for the 10-year period differ to the reporting of clearance in Afghanistan's Article 7 reports. Clearance of cluster munitions was conducted in Afghanistan from 2017–2019. According to the Article 7 reports for this period, a total of 9.7km<sup>2</sup> was reported cleared and 731 submunitions were destroyed. For BiH clearance data: response to Monitor questionnaire by Ljiljana Ilic, BHMAL, 7 August 2020. For Chad clearance data: response to Monitor questionnaire by Brahim Djibrim Brahim, Coordinator, HCND, 15 April 2020. In the questionnaire response, the 10-year figure of 3.6 km<sup>2</sup> for clearance is given, but no other evidence has been found to support this. For Croatia clearance data: response to Monitor questionnaire by Civil Protection Directorate, 28 April 2020; and Letter No. 76/20 of the Permanent Mission of the Republic of Croatia to the UN Office in Geneva, to the Implementation Support Unit of the Convention on Cluster Munitions, 31 July 2020, [bit.ly/CroatiaLetter7620](https://bit.ly/CroatiaLetter7620). Croatia reported clearance of 5.28km<sup>2</sup> from 2010–2019 and 0.03km<sup>2</sup> cleared in 2020. For Iraq clearance data: response to Monitor questionnaire by Haitham F. Lafta, Head of Operations and QA/QC, RMAC South, 14 April 2020. For Germany clearance data: Germany Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F, p. 17. Figures for the period 2017 (when Germany commenced clearance) to 2019. For Lao PDR clearance data: Lao PDR NRA Dashboard, undated, [www.nra.gov.la/report.php](http://www.nra.gov.la/report.php). For Lebanon clearance data: Response to Monitor questionnaire by LTC Fadi Wazen, Operations Section Head, LMAC, 9 April 2020. For Mauritania clearance data: Mauritania Convention on Cluster Munitions Article 7 Report (for calendar year 2019) Form F, p. 14. For Montenegro clearance data: Montenegro Convention on Cluster Munitions Article 7 reports (for calendar years 2011–2019); and ICBL-CMC, "Country Profile: Montenegro: Mine Action," 2010–2019.

## ARTICLE 4 DEADLINES AND EXTENSION REQUESTS

If a State Party believes that it will be unable to clear and destroy all cluster munition remnants within 10 years after the entry into force of the convention for the State Party, it is able to request an extension of its deadline for a period of up to five years.

The first extension requests were submitted for consideration for the Ninth Meeting of States Parties in Geneva in September 2019. In 2019, two countries, Germany and Lao PDR, asked and were granted a full five-year extension to their Article 4 deadlines. In 2020, BiH, Chile and Lebanon have submitted requests (see table below).

### Status of Article 4 progress to completion

State Party	Original deadline	Extension Request	Current deadline	Expectation to meet deadline
Afghanistan	1 March 2022	N/A	1 March 2022	Uncertain
BiH	1 March 2021	Submitted in 2020	1 March 2021	Expects to complete in 2023
Chad	1 September 2023	N/A	1 September 2023	Expects to complete before 2023
Chile	1 June 2021	Submitted in 2020	1 June 2021	Expects to complete end 2025
Germany	1 August 2020	Granted in 2019 (5 years)	1 August 2025	Expects to complete end 2024*
Iraq	1 November 2023	N/A	1 November 2023	Unlikely to meet deadline
Lao PDR	1 August 2020	Granted in 2019 (5 years)	1 August 2025	Unlikely to meet deadline
Lebanon	1 May 2021	Submitted in 2020	1 May 2021	Expects to complete by 2025
Mauritania	1 August 2022	N/A	1 August 2022	Unknown**
Somalia	1 March 2026	N/A	1 March 2026	Unknown

Note: N/A=not applicable.

\* Clearance is expected to be completed at the end of 2024, with final reporting and documentation completed in 2025.

\*\* Mauritania completed in 2013 but has since reported finding new cluster munition remnants contamination.

Two States Parties—Chad and Germany—are expected to meet their Article 4 deadlines.

**Chad's** Article 7 report for the year 2019, provides a workplan for the period 2020–2021, which suggests clearance will be completed in 2021.<sup>111</sup>

<sup>111</sup> Chad Convention on Cluster Munitions Article 7 Report (for calendar year 2019), pp. 3–4.

**Germany** requested a five-year extension until August 2025 to clear a former military training area at Wittstock. In its request, Germany stated that it should be able to conclude this work by 2024.<sup>112</sup>

For most of the States Parties, it is uncertain or unlikely that they will meet their current deadlines, despite several States Parties having relatively small areas of contamination remaining, such as Afghanistan, BiH, Lebanon, and Somalia.

**Afghanistan** told the Monitor that it is uncertain whether it will meet its current deadline of 1 March 2022.<sup>113</sup> Funding for the clearance of the seven remaining areas had been pledged by the United States (US), but Afghanistan has stated that there is evidence of more cluster munition contamination that needs assessment and survey. Ongoing conflict between the government, the Taliban and other non-state armed groups is continuing to add to the explosive remnants of war (ERW) contamination in Afghanistan, particularly improvised mines, which have overtaken legacy mined areas as the largest humanitarian threat.<sup>114</sup> Competing priorities make it challenging for Afghanistan to address the contamination.

**Iraq** told the Monitor that it is unlikely to meet its deadline of 2023, and that with its current capacity the clearance would require 17 more years. To clear within the deadline, Iraq reports that it would need a capacity of 45 teams.<sup>115</sup>

In **Lao PDR**, given the size of the known contamination, the remaining challenge is enormous. At the current annual clearance rate of 50km<sup>2</sup> per year,<sup>116</sup> the Monitor estimates that Lao PDR will need at least 23 years from 2020 to complete the clearance of the known cluster munitions in its territory. Lao PDR has indicated that completion of survey will be one of the priorities of work during the extension period, with the expectation that additional international support will be needed.<sup>117</sup> In September 2016, Lao PDR launched Sustainable Development Goal 18 (SDG-18), with a 2030 target to reduce the number of unexploded ordnance (UXO) casualties to zero; to clear all UXO contamination from high priority areas and villages; to improve health and livelihood needs of victims; and to ensure government funding for remaining UXO activities.<sup>118</sup> This is indicative of both the impact of cluster munition contamination on the development of Lao PDR and the country's commitment to address the contamination and its impacts.

BiH, Chile, and Lebanon submitted new extension requests in 2020 and requested full five-year extension periods.

**BiH** told the Monitor that it expects to complete cluster munition clearance by 2023, two years after its current Article 4 deadline of 1 March 2021.<sup>119</sup> An extension request was submitted in September 2020.

<sup>112</sup> Germany Convention on Cluster Munitions Article 4 Extension Request, 15 January 2019.

<sup>113</sup> Response to Monitor questionnaire by Fazel Rahmen, Project Manager Operations, DMAC, 16 April 2020. However, in Afghanistan's Article 7 Report (for calendar year 2019), Afghanistan reports that it hopes to release all cluster munition contaminated sites by October 2021. Afghanistan Convention on Cluster Munitions Article 7 Report (for calendar year 2019), p. 18.

<sup>114</sup> See, for example, reports that armed opposition groups mined the highway linking Kabul and Ghazni during fighting in August 2018. "Intense fighting as Taliban presses to take Afghan city," *Reuters*, 12 August 2018.

<sup>115</sup> Response to Monitor questionnaire by Haitham F. Lafta, Head of Operations and QA/QC, RMAC South, 14 April 2020.

<sup>116</sup> Lao PDR Convention on Cluster Munitions Article 4 Extension Request, 2019, Part B, p. 7.

<sup>117</sup> Lao PDR, Convention on Cluster Munition Article 4 Extension Request, Executive Summary, 26 February 2019, [www.clusterconvention.org/wp-content/uploads/2019/02/Part-A-Executive-Summary.pdf](http://www.clusterconvention.org/wp-content/uploads/2019/02/Part-A-Executive-Summary.pdf).

<sup>118</sup> Statement of Lao PDR on National Implementation Efforts, Convention on Cluster Munitions Seventh Meeting of States Parties, Geneva, 4–5 September 2017; and Lao PDR Convention on Cluster Munitions Article 4 Extension Request, 2019, Part B, p. 4.

<sup>119</sup> Response to Monitor questionnaire by Ljiljana Ilic, BHMAL, 7 August 2020.

**Chile** failed to conduct any clearance of its cluster munitions over the last 10 years due to prioritizing mine clearance<sup>120</sup> (which it completed in February 2020).<sup>121</sup> In January 2020, Chile submitted an extension request for a period of five years.<sup>122</sup> Chile states that the Chilean Armed Forces are scheduled to carry out the clean-up within five years and that financial planning also stipulates a five-year term.<sup>123</sup> As part of the extension request, Chile requested international assistance of US\$1.6 million for demining equipment and the undertaking of risk education in four locations for the period 2021–2026.<sup>124</sup> A revised extension request was submitted on 29 June 2020.

While **Lebanon** has reported clearance of 84% of its cluster munition contaminated land, it is unlikely to complete the remaining 16% by its current deadline due to challenges such as the discovery of further contamination, difficult terrain, extreme weather conditions and lack of financial assistance.<sup>125</sup> Lebanon has estimated that if it secures the same funds as in the last three years and the Government of Lebanon meets its declared contribution for the first three years of the extension, then it will be able to complete the clearance of cluster munitions by 2025.<sup>126</sup>

It is unknown whether **Somalia** will meet its clearance deadline of 1 March 2026. **Mauritania** has yet to submit details of clearance plans for the estimated 36km<sup>2</sup> of newly-found contaminated area.

## RISK EDUCATION

### OBLIGATIONS REGARDING RISK EDUCATION

The Convention on Cluster Munitions Article 4, Paragraph 2, states that each State Party shall “conduct risk reduction education to ensure awareness among civilians living in or around cluster munition contaminated areas of the risks posed by such remnants.”

Risk education in the context of the convention encompasses interventions aimed to protect civilian populations and individual civilians at the time of use of cluster munitions, when they fail to function as intended (remnants), or when they have been abandoned. Action 3.2 of the Dubrovnik Action Plan further highlights the need for risk education programs to be sensitized to age, gender and ethnic considerations and based on an assessment of need and vulnerability and an understanding of risk-taking behavior.<sup>127</sup>

States Parties are required to report on the measures taken to provide risk education and to ensure an immediate and effective warning to civilians living in cluster munition contaminated areas under their jurisdiction or control. This includes perimeter-marking of cluster munition contaminated areas, the provision of warning signs, and the marking of suspected hazardous areas.

## REPORTING

Since the First Review Conference in 2015, only five States Parties, Afghanistan, Croatia, Iraq, Lao PDR, and Lebanon, with outstanding Article 4 obligations have provided detailed information on risk education efforts. Bosnia and Herzegovina (BiH), Chad, Mauritania,

<sup>120</sup> Chile Convention on Cluster Munitions Article 4 Extension Request, 24 January 2020. p. 5.

<sup>121</sup> Antipersonnel Mine Ban Convention, “Chile Ends Mine Clearance Operations: The Americas a step closer to becoming a mine-free region,” 3 March 2020, [bit.ly/APMBCChileEndsMineClearanceOperations](http://bit.ly/APMBCChileEndsMineClearanceOperations).

<sup>122</sup> Chile Convention on Cluster Munitions Article 4 Extension Request, January 2020, p. 5.

<sup>123</sup> Response of Chile to the Convention on Cluster Munitions Article 4 Analysis Group, 8 May 2020.

<sup>124</sup> Chile Convention on Cluster Munitions Article 4 Extension Request, revised, 29 June 2020, p. 19; and Article 7 Report (for calendar year 2019), Form I, p. 12.

<sup>125</sup> Lebanon Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form F, p. 16.

<sup>126</sup> Lebanon Convention on Cluster Munitions Article 4 Extension Request, p. 5.

<sup>127</sup> Convention on Cluster Munitions, Dubrovnik Action Plan, p. 11, [bit.ly/CCMDubrovnikActionPlan](http://bit.ly/CCMDubrovnikActionPlan).

Montenegro, and Somalia have provided limited information regarding risk education. Chile and Germany have also provided limited information due to their contamination being confined to armed forces training areas.

Only Iraq and Lao PDR provided beneficiary numbers disaggregated by age and sex in their Article 7 transparency reports for the year 2019. Lebanon provided beneficiary numbers disaggregated by sex but not age.

## PROVISION OF RISK EDUCATION

States Parties Afghanistan, BiH, Croatia, Iraq, Lao PDR, and Lebanon all report conducting risk education which includes cluster munition remnants.

In State Party Lao PDR, where cluster munition contamination is the predominant type of unexploded ordnance (UXO) contamination, risk education is specifically directed to addressing the risk behaviors associated with cluster munition remnants.

In other States Parties where cluster munition remnant contamination is mixed with other forms of contamination which may be more predominant, risk education operators do not conduct specific sessions for cluster munition remnants. Afghanistan reported that risk education covers risks posed by all types of ordnance, including cluster munitions, although only two communities in two districts are directly affected by the seven known contaminated areas.<sup>128</sup> BiH also reported that mine/UXO risk education includes cluster munitions.<sup>129</sup>

Regional Mine Action Centre (RMAC) South in Iraq reported to the Monitor that information about cluster munitions was included as part of risk education sessions addressing all explosive remnants of war (ERW), but in areas closer to cluster munition contamination, more emphasis was placed on the risk behaviors with submunitions that led to casualties.<sup>130</sup> In the Kurdistan region of Iraq, cluster munition contamination is included as one type of contamination among others, or is not addressed as it is seen to be less of an issue.<sup>131</sup>

In Lebanon, some operators report including cluster munitions within their risk education, while others do not.

In States Parties Germany and Chile, cluster munition remnant contamination is confined to training ranges belonging to the armed forces. These areas are reported to be perimeter-marked with access prohibited to unauthorized persons.<sup>132</sup> Chile has focused on the conduct of risk education for landmines, although it has stated that cluster munitions are included within the sessions.<sup>133</sup> Germany has, as a precautionary and safeguarding measure, issued an official directive constraining access to the former military training area.<sup>134</sup>

Croatia reported in 2019 that risk education was provided throughout the 10-year period, with more than 140,000 persons reached. The last unexploded submunition casualties were reported in 2013.

<sup>128</sup> Afghanistan Convention on Cluster Munitions Article 7 Report (for calendar year 2019), pp. 19–20.

<sup>129</sup> BiH Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form G, p. 18.

<sup>130</sup> Response to Monitor questionnaire by Haitham F. Lafta, Head of Operations and QA/QC, RMAC South, 13 August 2020.

<sup>131</sup> Response to Monitor questionnaire by Peter Smethers, Fondation Suisse de Déminage (FSD), 22 April 2020; Madeline Achurch, HALO Trust, 30 April 2020; Goran Knezevic, HI, 7 April 2020; Celine Cheng UNMAS, 11 May 2020; and Alexandra Letcher, Community Liaison Manager, Mines Advisory Group (MAG), 21 May 2020.

<sup>132</sup> Chile Convention on Cluster Munitions Article 7 Report (for calendar year 2019) Form F, p. 4; and Germany Convention on Cluster Munitions Article 7 Report (for calendar year 2014), Form F.

<sup>133</sup> Chile Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form G, p. 10.

<sup>134</sup> Germany Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form G, p. 20.



## TARGET AREAS, RISK GROUPS AND BEHAVIORS

States Parties Afghanistan, BiH, Iraq, and Lebanon have provided risk education for cluster munitions in both rural and urban areas. In Croatia, risk education was conducted in 2019 through public campaigns at city and municipal level concerning contamination in more remote areas.<sup>135</sup> Risk education in Lao PDR is provided predominantly in remote rural areas in the north and in provinces bordering Vietnam and along the former route of the Ho Chi Minh trail. In Afghanistan, Iraq and Lebanon, risk education is also conducted in camps for internally displaced people (IDPs) and refugees.

National-level Information Management System for Mine Action (IMSMA) victim data is used in Afghanistan, Lao PDR, and Lebanon to inform the targeting of risk education. Afghanistan reported to the Monitor that it also maintained a priority scoring matrix to enable it to prioritize the most affected populations in terms of their proximity to the hazards, the number of recent casualties, and incidences of armed conflict.<sup>136</sup> In BiH and Iraq, it was reported that victim databases are incomplete, and in the case of Iraq, not openly available for interrogation.<sup>137</sup>

All States Parties that report on risk education cited children as a key risk group with regards to cluster munition remnants because they are often growing up in contaminated areas, lack knowledge of the risks, and are prone to picking up and playing with items. In Lao PDR, children are known to be tempted to pick up and play with submunitions because of their size and shape.<sup>138</sup>

Adult men and male adolescents are reported to be particularly high-risk groups in relation to cluster munition contamination due to their engagement in livelihood activities which increase the possibility of exposure to cluster munition remnants. In Afghanistan, BiH, Iraq, Lao PDR, and Lebanon, high-risk activities in rural areas include cultivation, collection of forest products, hunting and fishing, foraging, and tending animals. Activities such as digging, plowing or burning land are considered high-risk agricultural activities. In urban areas, particularly in Iraq, high-risk activities include construction work and street cleaning.

In Afghanistan, while cluster munition remnants affect fewer people, they are reported to block access to grazing and agricultural land. Migrant workers were reported to be a high-risk group in BiH due to their lack of understanding and knowledge of marking signs and indications of contamination.<sup>139</sup> Seasonal workers and cross-border workers were reported to be a target group in Lebanon.<sup>140</sup> In Croatia, target groups included members of hunting associations, the Croatian mountain rescue service, hikers, farmers and tourists.<sup>141</sup>

In Lao PDR it was reported that men often enter contaminated areas knowingly because of economic necessity. In some contexts, familiarity with contamination means that men will often move ordnance when they encounter them.<sup>142</sup> The Lebanon Mine Action Centre (LMAC) reported that farmers in the south of the country handled and moved ordnance.<sup>143</sup>

<sup>135</sup> Croatia Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form G, p. 22.

<sup>136</sup> Response to Monitor questionnaire by Fazel Rahmen, Project Manager Operations, DMAC, 16 April 2020.

<sup>137</sup> Response to Monitor questionnaire by Zorica Lucic, ICRC, 29 April 2020; Goran Knezevic, HI, 7 April 2020; and Madeline Achurch, Program Officer, HALO Trust, 30 April 2020.

<sup>138</sup> Response to Monitor questionnaire by Tamsin Haigh, Project Officer, HALO Trust, 30 April 2020.

<sup>139</sup> Response to Monitor questionnaire by Zorica Lucic, ICRC, 29 April 2020.

<sup>140</sup> Response to Monitor questionnaire by Fadi Hamze, Explosive Ordnance Risk Education (EORE) Project Manager, 22 May 2020.

<sup>141</sup> Croatia Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form G, p. 22.

<sup>142</sup> Hal Judge, "Report on Integrated Approaches to EORE in ASEAN Member States," (Phnom Penh, ARMAC, April 2020), [bit.ly/ARMACIntegratedApproachestoEORE](https://bit.ly/ARMACIntegratedApproachestoEORE); response to Monitor questionnaire by Tamsin Haigh, HALO Trust, 30 April 2020; and Julien Kempeneers, HI, 20 May 2020.

<sup>143</sup> Lebanon Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form G, p. 18.

The collection of scrap metal and explosives is a risk activity that is recorded in both rural and urban areas. Scrap metal collection has been a common practice in Lao PDR for income generation, and is still reported in some areas, such as in the north of the country.<sup>144</sup> The deliberate engagement with ERW and submunitions for income generation is also reported in other States Parties, including Afghanistan.<sup>145</sup>

In Lao PDR it was reported to the Monitor that teenagers as a group were potentially excluded from risk education activities and that there needs to be more innovation to reach these groups as they may be particularly at risk, especially boys.<sup>146</sup>

Nomadic and pastoral communities were target groups for risk education in States Parties Iraq, Mauritania, and Somalia. While the extent of cluster munition contamination along the Somali border with Ethiopia is not known, in 2014, Somalia claimed it posed an ongoing threat to the lives of nomadic people and their animals.<sup>147</sup> However, Somalia does not report conducting risk education for cluster munition contamination.<sup>148</sup> Mauritania reported providing risk education to nomadic populations across the country and in areas close to suspected or confirmed hazardous areas.<sup>149</sup> RMAC South in Iraq reported providing risk education to nomadic Badia populations and targeting them during pastoral seasons when they gather in grassland areas with their livestock.<sup>150</sup>



Risk education session in Kafrouk village around Mosul, Iraq. Children learn to recognize the dangers of explosive remnants of war.

© Waleed Khaled/Hi, September 2019

In Lao PDR, the Hmong and other ethnic groups were potentially exposed to accidents because they practice “slash and burn” (or swidden) agriculture on a rotational basis.<sup>151</sup> The challenge of providing risk education to ethnic groups speaking different languages and dialects was also reported in State Party Lao PDR.<sup>152</sup>

IDPs and returnees were noted as risk groups in Afghanistan, Iraq, and Lebanon. In areas where people have been displaced due to conflict, such as in State Party Afghanistan, men were reported as often being the first to return to an area affected by conflict before other family members. In Lebanon, which hosts over 1.5 million Syrian refugees, risk education is provided to refugees to sensitize them to the contamination in Lebanon.<sup>153</sup>

<sup>144</sup> Response to Monitor questionnaire by Julien Kempeneers, HI, 20 May 2020.

<sup>145</sup> Afghanistan Convention on Cluster Munitions Article 7 Report (for calendar year 2019), pp. 19–20.

<sup>146</sup> Response to Monitor questionnaire by Julien Kempeneers, HI, 20 May 2020.

<sup>147</sup> Statement of Somalia, Convention on Cluster Munitions Fifth Meeting of States Parties, San José, 2–5 September 2014.

<sup>148</sup> Response to Monitor questionnaire by Hussein Ibrahimi Ahmed, UNMAS Somalia, 9 May 2020.

<sup>149</sup> Mauritania Convention on Cluster Munitions Article 7 Report (for calendar year 2019), p. 16.

<sup>150</sup> Response to Monitor questionnaire by Haitham F. Lafta, Head of Operations and QA/QC, RMAC South, 13 August 2020.

<sup>151</sup> Response to Monitor questionnaire by Julien Kempeneers, HI, 20 May 2020. “Swidden” agriculture refers to the practice of rotational agriculture where secondary forest area is cleared (normally by burning) and farmed for a number of years before being left fallow to regenerate. The clearance and burning of land are seen as a high-risk activity on land that may contain cluster munition remnants.

<sup>152</sup> Hal Judge, “Report on Integrated Approaches to EORE in ASEAN Members States,” (Phnom Penh: ARMAC, April 2020), [bit.ly/ARMACIntegratedApproachestoEORE](http://bit.ly/ARMACIntegratedApproachestoEORE).

<sup>153</sup> Response to Monitor questionnaire by Fadi Hamze, EORE Programme Manager, HI, 22 May 2020.

Humanity & Inclusion (HI) reported risk education projects that targeted people with disabilities or were integrated into victim assistance projects.<sup>154</sup> In Afghanistan, the HI Mobile Team Project incorporated physical rehabilitation, psychosocial support and risk education for IDPs, returnees and host communities. Risk education teams provided sessions in rehabilitation centers for victims of explosive ordnance and other people with disabilities.<sup>155</sup>

In 2019, risk education was provided to people in emergency situations in Lao PDR and Lebanon. Lao PDR provided emergency risk education for villagers affected by flooding in Attapeu province,<sup>156</sup> and Lebanon provided emergency risk education with UN Children's Fund (UNICEF) support in the north of the country near the Syrian border after a flood.<sup>157</sup> In 2020, it was reported that Lao PDR would receive funding from Turkey as part of the Turkey-UNDP Partnership for Development Programme, to develop a project on strengthening early warning systems and risk education.<sup>158</sup>

## RISK EDUCATION DELIVERY METHODS

States Parties Afghanistan, BiH, Chad, Iraq, Lao PDR, and Lebanon reported that risk education is carried out as an integrated part of survey and clearance activities. In cluster munition contaminated areas this is often crucial to support spot task reporting.<sup>159</sup>

Several States Parties also have organizations conducting standalone risk education, for example in BiH.

In Lao PDR, risk education is integrated into the school curriculum at primary level and is in the development phase at secondary level. Lebanon implements risk education activities in educational institutions across Lebanon as part of the school health curriculum.<sup>160</sup> In 2019, the LMAC and the Ministry of Education launched training of trainers courses for the Health and Safety teachers, with the aim to cover the entire public school system throughout Lebanon.<sup>161</sup> In Afghanistan, key risk education messages are included for grades 2 to 12, and in BiH and Iraq risk education is provided in schools, but not as part of the curriculum.<sup>162</sup>

The Directorate of Mine Action Coordination (DMAC) in Afghanistan reported introducing child-focused risk education materials that have been piloted and will be used in field operations. They see it as a significant step towards employing engaging content that will help to change the behavior of children and young adults.<sup>163</sup>

<sup>154</sup> The HI Comprehensive Approach to Humanitarian Mine Action encompasses integrated programs with advocacy, clearance, risk education and victim assistance. Such programs are implemented by HI in States Parties Afghanistan, Iraq, Lao PDR, and Lebanon.

<sup>155</sup> Response to Monitor questionnaire by Zareen Khan Mayar, EORE Technical Advisor, HI, 22 May 2020.

<sup>156</sup> NRA, "Minutes of the MRE TWG, Quarter 3, 6 September 2019", 23 September 2019.

<sup>157</sup> Response to Monitor questionnaire by Habbouba Aoun, Landmines Resource Centre, University of Balamand, 9 June 2020.

<sup>158</sup> "Laos, Turkey partner on UXO RE Disaster Preparedness," *Vientiane Times*, 20 July 2020, [bit.ly/VientianeTimes20July2020](http://bit.ly/VientianeTimes20July2020).

<sup>159</sup> A key message in risk education is for civilians to report any ordnance they come across during their daily activities. When reported to clearance operators, EOD teams are often able to quickly clear and dispose of reported items. Community reporting may also identify areas that require further survey to establish the extent of contamination. Risk education teams working with clearance and EOD teams enables these processes to be conducted efficiently.

<sup>160</sup> Response to Monitor questionnaire by Habbouba Aoun, Landmines Resource Centre, University of Balamand, 9 June 2020.

<sup>161</sup> Lebanon Convention on Cluster Munitions Article 7 Report (for calendar year 2019) Form G, p. 18.

<sup>162</sup> Response to Monitor questionnaire by Zareen Khan Mavar, EORE Teaching Assistant, HI, May 2020; Alexandra Letcher, Community Liaison Manager, MAG, May 2020; and Goran Knezevic, Risk Education Technical Coordinator, HI Iraq, 22 May 2020.

<sup>163</sup> Afghanistan Convention on Cluster Munitions Article 7 Report (for calendar year 2019), pp. 19–20.

Risk education in Afghanistan and BiH has been integrated into humanitarian and protection sectors. In BiH this is done through the work of the Red Cross, and in Afghanistan risk education has been provided for returnees through the Office of the UN High Commissioner for Refugees (UNHCR) and at International Organization for Migration (IOM) encashment and transit centers.<sup>164</sup> Lebanon also reports training non-government organization (NGO) activists, social workers and health workers to deliver risk education.<sup>165</sup> HI in Lao PDR reported integrating risk education with the work of its rural development partners, GRET and OXFAM.<sup>166</sup>

Lao PDR, with its long-term cluster munition problem, has developed community-based approaches for risk education through a village volunteer network supported by UXO Lao, and through activities with the Lao Youth Union.<sup>167</sup> Lebanon conducted risk education through youth and scout leaders and LMAC also trained risk education focal points from the Ministry of Tourism in 2019.<sup>168</sup>

Mauritania conducted two prevention campaigns in 2019 as part of the National Humanitarian Demining Program for Development.<sup>169</sup> The risk education was conducted through administrative authorities, teachers, internal security forces (police and gendarmerie), and the army.

## MARKING

The marking of areas contaminated by cluster munition remnants varies. Lao PDR reported that UXO marking signs are only used for targeted project areas.<sup>170</sup>

BiH reported placing emergency marking signs around suspected areas.<sup>171</sup> Lebanon has fenced and marked dangerous areas, uses warning signs and partners with local communities and authorities to ensure community awareness of contaminated areas.<sup>172</sup> Croatia reported marking hazardous areas and providing maps of the location of hazardous areas to the local authorities and police administration.<sup>173</sup>

In Chile and Germany, all cluster munition remnant contaminated areas were reported as being perimeter fenced and marked to International Mine Action Standards (IMAS) using signs and barbed wire.<sup>174</sup>

## VICTIM ASSISTANCE

The Convention on Cluster Munitions requires that States Parties assist all cluster munition victims in the areas under their jurisdiction. Compliance with victim assistance obligations included in the convention is compulsory, requiring States Parties with cluster

<sup>164</sup> Ibid.

<sup>165</sup> Lebanon Convention on Cluster Munitions Article 7 Report (for calendar year 2019), pp. 18–20.

<sup>166</sup> Response to Monitor questionnaire by Julien Kempeneers, AVR/HMA Coordinator, HI, 20 May 2020.

<sup>167</sup> Lao PDR Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form G, p. 12.

<sup>168</sup> Response to Monitor questionnaire by Habbouba Aoun, Landmines Resource Centre, University of Balamand, 9 June 2020.

<sup>169</sup> Mauritania Convention on Cluster Munitions Article 7 Report (for calendar year 2019), p. 16.

<sup>170</sup> Lao PDR Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form G, p. 13.

<sup>171</sup> BiH Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form G.

<sup>172</sup> Lebanon Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form G, pp. 18–20.

<sup>173</sup> Croatia Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form G, p. 22.

<sup>174</sup> Chile Convention on Cluster Munitions Article 7 Report (for calendar year 2019) Form F, p. 4; and Germany Convention on Cluster Munitions Article 7 Report (for calendar year 2019) Form G, p. 20.

munition victims to implement victim assistance activities. Specific activities to ensure that adequate assistance is provided, include the following:<sup>175</sup>

- Collect relevant data and assess the needs of cluster munition victims;
- Coordinate victim assistance programs and develop a national plan;
- Actively involve cluster munition victims in all processes that affect them;
- Ensure adequate, available, and accessible assistance;
- Provide assistance that is gender- and age-sensitive as well as non-discriminatory;<sup>176</sup> and
- Report on progress.

Among the 14 States Parties which have had cluster munition casualties recorded, 12 have recognized responsibility for cluster munition victims.

At least two other States Parties which have had cluster munition casualties reported, Colombia and Mozambique, may also have responsibility to assist cluster munition victims. Both are also States Parties to the Mine Ban Treaty and have recognized responsibility for significant numbers of mine survivors and their needs.

In 2019, Colombia reported that “since the date of entry into force of the Convention [on Cluster Munitions] for the Colombian State there are no reports or records on victims of cluster munitions”.<sup>177</sup> The convention entered into force for the country on 1 March 2016, and in November 2017, the Supreme Court of Colombia upheld the decision of the Inter-American Court of Human Rights (IACHR) case, Santo Domingo Massacre v. Colombia, regarding redress for cluster munition victims of an attack in 1998.<sup>178</sup> The IACHR prescribed measures for remedy that are essentially consistent with the victim assistance obligations of the Convention on Cluster Munitions.<sup>179</sup> In May 2009, Colombia’s then-Minister of Defense and later Nobel Peace Prize winning president, Juan Manuel Santos, acknowledged that the Colombian armed forces had used cluster munitions in the past “to destroy clandestine airstrips and camps held by illegal armed groups” and noted that the submunitions sometimes did not explode and “became a danger to the civilian population.”<sup>180</sup> In 2010, the Ministry of National Defense said that the Colombian Air Force last used cluster munitions on 10 October 2006 “to destroy clandestine airstrips belonging to organizations dedicated to drug trafficking in remote areas of the country where the risk to civilians was minimal.”<sup>181</sup>

### States Parties which have reported a responsibility for cluster munition victims

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Afghanistan  
 Albania  
 Bosnia and Herzegovina (BiH)  
 Chad  
 Croatia  
 Guinea-Bissau  
 Iraq  
 Lao PDR  
 Lebanon  
 Montenegro  
 Sierra Leone  
 Somalia

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<sup>175</sup> These activities, to be implemented in accordance with applicable international humanitarian and human rights law, also include medical care, rehabilitation, and psychological support, as well as provision for social and economic inclusion.

<sup>176</sup> Increasingly this obligation is understood to include measures that address disability-sensitivity, diversity, and intersectionality.

<sup>177</sup> Colombia Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form H.

<sup>178</sup> “César Romero Pradilla vs. Johan Jiménez Valencia,” Supreme Court of the Republic of Colombia, 23 November 2017, [bit.ly/CorteSupremaColombia2017](http://bit.ly/CorteSupremaColombia2017).

<sup>179</sup> All casualties occurred at the time of the attack and no unexploded submunition casualties have been reported in Colombia. As identified in Case No. 12.416 (Santo Domingo Massacre vs. the Republic of Colombia) heard before the Inter-American Court of Human Rights, 17 civilians were killed and 27 were injured during a cluster munition attack in Santo Domingo, Colombia, on 13 December 1998. Inter-American Court of Human Rights, “Case: Massacre of Santo Domingo vs. Colombia Sentence of 30 November 2012,” undated, [www.corteidh.or.cr/docs/casos/articulos/seriec\\_259\\_ing.pdf](http://www.corteidh.or.cr/docs/casos/articulos/seriec_259_ing.pdf). See also See, ICRC, “Colombia, Case of the Santo Domingo Massacre,” [casebook.icrc.org/case-study/colombia-case-santo-domingo-massacre](http://casebook.icrc.org/case-study/colombia-case-santo-domingo-massacre).

<sup>180</sup> Carlos Osorio, “Colombia destruye sus últimas bombas de tipo racimo” (“Colombia destroys its last cluster bombs”), *Agence France-Presse*, 7 May 2009.

<sup>181</sup> Colombia Ministry of National Defense presentation on cluster munitions, Bogotá, December 2010.

### Cluster munition victims

“Cluster munition victims means all persons who have been killed or suffered physical or psychological injury, economic loss, social marginalisation or substantial impairment of the realisation of their rights caused by the use of cluster munitions.” (Convention on Cluster Munitions, Article 2.1)

Cluster munition victims include those persons directly impacted by cluster munitions; those injured (survivors) or killed, as well as affected families and communities.

Cluster munition survivors are persons who were injured by cluster munitions or their explosive remnants and lived. Most cluster munition survivors are also persons with disabilities.

Persons with disabilities include those who have long-term physical, mental, intellectual, or sensory impairments, which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

In 2020, Mozambique reported that “at the moment there is no evidence of victims of cluster munitions.”<sup>182</sup> Previously, Mozambique reported on victim assistance efforts under the Convention on Cluster Munitions and also stated that “Additional surveys are needed to identify victims of cluster munitions.”<sup>183</sup> No such surveys were reported. However, casualties which occurred in Mozambique during the time of cluster munition attacks by Rhodesian forces were likely mostly Zimbabwe African National Liberation Army (ZANLA) forces.<sup>184</sup>

Non-signatories Cambodia and Vietnam are also viewed as countries with the most significant numbers of cluster munition victims in need of assistance and support.<sup>185</sup> Both Cambodia and Vietnam have recognized the need to assist cluster munition victims and provided information on their victim assistance efforts at early meetings of States Parties of the Convention on Cluster Munitions. Cambodia and Vietnam reported on their implementation efforts in accordance with the convention’s specific requirements of planning, coordination, and the integration of victim assistance into rights-based frameworks, such as the Convention on the Rights of Persons with Disabilities (CRPD).<sup>186</sup>

<sup>182</sup> Mozambique Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form H.

<sup>183</sup> See, for example, Mozambique Convention on Cluster Munitions Article 7 Report (for calendar year 2010), Form H; and Mozambique Convention on Cluster Munitions Article 7 Report (for calendar year 2014), Form H.

<sup>184</sup> Peter J. H. Petter-Bowyer, *Winds of destruction: the autobiography of a Rhodesian combat pilot*. (Victoria: Trafford Publishing, 2003); and “The Struggle For Land in Zimbabwe (1890–2010)...alpha bombs as Rhodies attack Chimoio,” *The Patriot*, 1 June 2017, [bit.ly/ThePatriot1Jun2017](http://bit.ly/ThePatriot1Jun2017).

<sup>185</sup> “Draft Oslo Progress Report,” Convention on Cluster Munitions, undated, pp. 7 and 9, [bit.ly/CCMOsloProgressReport](http://bit.ly/CCMOsloProgressReport); and “Lusaka Progress Report,” Convention on Cluster Munitions, 13 September 2013, p. 9, [bit.ly/CCMLusakaProgressReport](http://bit.ly/CCMLusakaProgressReport).

<sup>186</sup> Statement of Cambodia, Convention on Cluster Munitions Third Meeting of States Parties, Oslo, 12 September 2012, [bit.ly/MonitorCMM15VAfn26a](http://bit.ly/MonitorCMM15VAfn26a); and statement of Vietnam, Convention on Cluster Munitions Second Meeting of States Parties, Beirut, 14 September 2011, [bit.ly/MonitorCMM15VAfn26b](http://bit.ly/MonitorCMM15VAfn26b). Vietnam stated that it is “among the countries most affected by cluster munitions and other explosive remnants of war.” It also stated, “Viet Nam has signed the Convention on the Rights of Persons with Disabilities and adopted a Law on Persons with Disabilities, which provides an important legal framework for the care for and assistance to victims of ERW.” Vietnam identified the Ministry of Labour, War Invalids and Social Affairs as the focal point for victim assistance.

## VICTIM ASSISTANCE OBLIGATIONS AND RELEVANT INTERNATIONAL FRAMEWORKS

States Parties to the Convention on Cluster Munitions with victims under their jurisdiction are legally bound to implement adequate victim assistance in accordance with applicable international humanitarian law and human rights law.<sup>187</sup> All but two of the States Parties with cluster munition victims, Lao PDR and Lebanon, are also party to the Mine Ban Treaty, and are responsible for providing assistance to mine survivors. Most of these states have also received focused attention and support in developing victim assistance programs through the mechanisms of the Mine Ban Treaty and its Implementation Support Unit: Afghanistan, Albania, BiH, Chad, Croatia, Guinea-Bissau, Montenegro,<sup>188</sup> Iraq, and Somalia.

The requirement to apply human rights law has been understood foremost in terms of enhancing implementation through the CRPD, by including victim assistance in national disability rights-related coordination structures. Among States Parties to the Convention on Cluster Munitions with cluster munition victims, all but two are States Parties to the CRPD; Chad and Lebanon are signatories. Nonetheless, Lebanon's mine action strategy for 2011–2020 has the goal that the rights of victims are fulfilled “as per the Convention on Cluster Munitions (CCM) obligations, in the spirit of the Mine Ban Treaty (MBT), and in accordance with the UN Convention on the Rights of Persons with Disabilities (UNCRPD).”<sup>189</sup>

In September 2015, UN Member States adopted the 2030 Agenda for Sustainable Development and its Sustainable Development Goals (SDGs). They are designed to address the economic, social, and environmental dimensions of sustainable development, with an emphasis on poverty reduction, equality, rule of law, and inclusion. Therefore, the SDGs are generally complementary to the aims of the CRPD and the Convention on Cluster Munitions and offer exceptional opportunities for bridging the relevant frameworks.

More specifically, persons with disabilities are referred to directly in several of the SDGs that are highly relevant to the implementation of the CRPD and the humanitarian disarmament conventions' action plans: education (SDG 4), employment (SDG 8), reducing inequality (SDG 10), and accessibility of human settlements (SDG 11), in addition to including persons with disabilities in data collection and monitoring (SDG 17). In the context of the 2030 Agenda for Sustainable Development, the UN and civil society consider mine action to be a vital enabler for many of the SDGs, including peace, stability and development (SDG 16), and to ensure healthy lives and promote wellbeing (SDG 3).<sup>190</sup> However, in 2015, the UN Special Rapporteur on the Rights of Persons with Disabilities pointed out potential future challenges to the success of development goals with regard to victim assistance:

“The Sustainable Development Goals offer a great opportunity for all, including for persons with disabilities. However, the limited capacity to implement and measure the level of impact of the SDGs is a risk that must be addressed in order to avoid another failure of the development agenda in relation to persons with disabilities.”<sup>191</sup>

<sup>187</sup> Convention on Cluster Munitions, Article 5.1. Applicable international human rights law and humanitarian law includes the CRPD, the Convention on the Rights of the Child (CRC), the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the International Covenant on Civil and Political Rights (ICCPR), CCW Protocol V on Explosive Remnants of War, and the Geneva Conventions.

<sup>188</sup> Until 2008, as Serbia and Montenegro.

<sup>189</sup> LMAC “Mine Victim Assistance (MVA) Department,” [bit.ly/LMAC-MVADepartment](http://bit.ly/LMAC-MVADepartment).

<sup>190</sup> Geneva International Centre for Humanitarian Demining (GICHD)/UNDP, “Leaving no one behind: Mine action and the Sustainable Development Goals,” (Geneva: GICHD/UNDP, July 2017), [bit.ly/GICHDUNDPLeavingNoOneBehind](http://bit.ly/GICHDUNDPLeavingNoOneBehind).

<sup>191</sup> Statement by Catalina Devandas Aguilar, Special Rapporteur on the Rights of Persons with Disabilities, Mine Ban Treaty Fourteenth Meeting of States Parties, Geneva, 30 November 2015.

The Monitor has been reporting such efforts since the period of the Millennium Development Goals (MDGs), which ran through to the end of 2015. Unlike the SDGs, the MDGs did not specifically reference persons with disabilities. However, the rights of persons with disabilities, including survivors, were identified as priorities in some development plans and programs, Poverty Reduction Strategy Papers (PRSPs), and other appropriate mechanisms. Several countries recognized the need to incorporate those commitments into their PRSPs. This integration into national development objectives was encouraged as a means of improving the implementation of victim assistance.<sup>192</sup> As can be seen in the following example from Lao PDR, there were useful lessons that were transferred from the MDGs to the period of the SDGs in some cases.

As noted earlier (in the section on Article 4 deadlines and extension requests), Lao PDR's current SDG 18 includes a victim assistance target to be achieved by 2030: "SDG 18.3: Meet the health and livelihoods needs of all identified UXO survivors."<sup>193</sup> Similarly, in 2010, the same year that the Convention on Cluster Munitions entered into force, Lao PDR signed an MDG Compact whereby it committed to attaining a country-specific additional MDG 9 to reduce the impact of UXO by 2020—the year of the Second Review Conference of the convention. The timeline for this goal also overlaps with the first five years of the 15-year SDG period (2015–2030). The third target of Lao PDR's MDG 9 is: "Ensure that the medical and rehabilitation needs of all UXO survivors are met" through the provision of proper assistance.<sup>194</sup> The Lao PDR strategy, Safe Path Forward, recognizes that "meeting the obligations of the Cluster Munitions Convention will require a significant scaling up of resources and capacities during the period covered by this strategy [through 2020]."<sup>195</sup> In 2015, Lao PDR noted that it "has a long way to go to fully achieve the victim assistance goals within the broader disability and development frameworks."<sup>196</sup> Long-term challenges to accomplishing MDG 9 include mainstreaming sustainable socio-economic development strategies and programs as well as maintaining national capacity, while also gradually reducing international support.

## APPROACHING THE LAUSANNE ACTION PLAN WITH VICTIM ASSISTANCE PRIORITY NEEDS FIRST

The Convention on Cluster Munitions is the first international treaty to make the provision of assistance to victims of a given weapon a formal requirement for all States Parties. It is also the first international humanitarian law treaty to include a reporting obligation for victim assistance. At this significant milestone, a decade since its entry into force on 1 August 2010, the Convention on Cluster Munitions continues to set the highest standard in obligations for the provision of assistance as well as on reporting practices on victim assistance.

The Convention on Cluster Munitions requires that states "adequately provide" victim assistance. To fulfill this legal obligation, each State Party should determine what would be "adequate" in its national circumstances for each key aspect of victim assistance, including medical care, rehabilitation and psychological support, social and economic inclusion, and other relevant services.

<sup>192</sup> Including States Parties Albania (local plans), Guinea-Bissau, Mozambique, signatory Uganda, and non-signatories Ethiopia, and Tajikistan. See ICBL-CMC, "Equal Basis 2015: Inclusion and Rights in 33 Countries," 2 December 2015, [bit.ly/MonitorEqualBasis2015](http://bit.ly/MonitorEqualBasis2015); and ICBL-CMC, "Equal Basis 2014: Access and Rights in 33 Countries," 3 December 2014, [bit.ly/MonitorEqualBasis2014](http://bit.ly/MonitorEqualBasis2014).

<sup>193</sup> UNDP-Lao PDR, "Moving-Towards-Achieving-SDG-18," undated, [bit.ly/UNDPLaosAchievingSDG18](http://bit.ly/UNDPLaosAchievingSDG18). See also, statement of Lao PDR on National Implementation Efforts, Convention on Cluster Munitions Seventh Meeting of States Parties, Geneva, 4–5 September 2017; and Lao PDR Convention on Cluster Munitions Article 4 Extension Request, 2019, Part B, p. 4.

<sup>194</sup> Lao PDR MDG 9, "Reducing UXO Impact," 20 October 2010, [bit.ly/MDGsCompactLaos](http://bit.ly/MDGsCompactLaos).

<sup>195</sup> Government of Lao PDR, "The Safe Path Forward II: National Strategic Plan for the UXO Sector in the Lao People's Democratic Republic 2011–2020," 22 June 2012.

<sup>196</sup> NRA for the UXO/Mine Action Sector in Lao PDR, "HRTM 2015: UXO Sector Working Group Progress Report," 15 November 2015.



As conveyed in *Cluster Munition Monitor 2010*, the first annual report following the entry into force of the convention, at that time, “nearly all states and areas with cluster munition victims faced significant challenges providing holistic and accessible care to affected individuals, families, and communities.”<sup>197</sup> While the particular challenges varied according to the specific situation in each country and were reported in the publication as such, common challenges identified in the report included a lack of resources and funding for programs, little or no progress in providing opportunities for economic inclusion and psychosocial support, as well as insufficient availability or access to services for survivors based in rural areas.

In providing an update on progress under the Dubrovnik Action Plan, *Cluster Munition Monitor 2019* included summary information on some specific priority actions and activities that have been reported as required to address victim assistance challenges. These actions and recommendations have been identified in Cluster Munition Monitor country-level reporting for victim assistance. They are compiled in a unique database of victim assistance challenges, specific actions to address challenges, and related national commitments in strategies and plans yet to be fulfilled or fully implemented. The following are updates on activities relating to some of the action points and recommendations identified in the *Cluster Munition Monitor 2019* report.

States Party	Action points, recommendations, and updates
Afghanistan	<ul style="list-style-type: none"> <li>• Expand access to physical rehabilitation, particularly in provinces lacking services.</li> <li>• Provide psychosocial and psychological support, including peer support in particular to new survivors as well as those who have been traumatized and live in isolation.</li> </ul> <p>Generally, victim assistance faced financial crises and shortages which affected the improvement and implementation of physical rehabilitation, psychosocial counseling, and economic inclusion. Inclusive education, once an exemplary expanding program, has since stalled due to a lack of resources. In addition to several programs and non-governmental organizations (NGOs) which are bilaterally funded by other donors, seven victim assistance projects were designed to be implemented through the Directorate of Mine Action Coordination (DMAC) during 2019, but only four received funding.<sup>198</sup> No new peer-support activities were reported.</p>
Albania	<ul style="list-style-type: none"> <li>• Provide follow-up to address the needs identified during the survivor assessment survey completed in 2016.</li> <li>• Maintain capacities of services and healthcare for amputees in remote areas.</li> </ul> <p>Albania shared the results of the ALB-AID survey at the Fostering Partnerships global conference on victim assistance in Amman, Jordan.<sup>199</sup> It is yet to report on follow-up measures.</p>

<sup>197</sup> ICBL, *Cluster Munition Monitor 2010*, Casualties and Victim Assistance, (Ottawa: Mines Action Canada, October 2010), [bit.ly/CMM2010CasualtiesandVA](http://bit.ly/CMM2010CasualtiesandVA).

<sup>198</sup> Response to Monitor questionnaire by Fazel Rahmen, Project Manager Operations, DMAC, 16 April 2020.

<sup>199</sup> Presentation by Irena Mitro, Head of Policies and Strategies for Social Protection and Integrated Services, Ministry of Health and Social Protection of Albania, at Fostering Partnerships, Global Conference on Assistance to Victims of Anti-Personnel Mines and Other Explosive Remnants of War, and Disability Rights, Amman, 12 September 2019.

States Party	Action points, recommendations, and updates
BiH	<ul style="list-style-type: none"> <li>• Improve the economic inclusion of survivors and their families.</li> <li>• Increase the quality and sustainability of services for survivors and other persons with disabilities, including by upgrading community-based rehabilitation centers.</li> </ul> <p>In BiH, the EU funded a two-year income-generation and socio-economic inclusion project for mine/explosive remnants of war (ERW) survivors implemented through a joint initiative of World Vision and the Organization of Amputees of Republic of Srpska. Together with BiH Mine Action Centre (BHMIC), this project also included drafting of the next BiH Mine Victim Assistance Action Plan (2019–2025).<sup>200</sup></p>
Croatia	<ul style="list-style-type: none"> <li>• Maintain regular national coordination of victim assistance and complete the unified victim database in order to improve implementation of services according to needs.</li> <li>• Ensure that survivors' representative organizations have adequate resources.</li> </ul> <p>In Croatia, a coordination group was established in 2010 to develop a survivor database. However, by early 2015, a lack of funding delayed survey implementation.<sup>201</sup> In 2019, Croatia reported the survey was expected to start during the first half of 2020.<sup>202</sup> A four-year Swiss-Croatian cooperation program was projected to fund the victim database and also to include an economic integration needs assessment.<sup>203</sup></p>
Chad	<ul style="list-style-type: none"> <li>• Enhance victim assistance coordination and align with disability-rights coordination.</li> <li>• Increase investment in physical rehabilitation services.</li> </ul> <p>There was only one operational physical rehabilitation center, in the capital N'Djamena, but it was facing funding difficulties. The cost of treatment at the center was borne by patients.<sup>204</sup> Humanity &amp; Inclusion (HI) supported the strengthening of the production capacity of the center. HI also continued to build the capacity of victim assistance and disability actors.<sup>205</sup></p>

<sup>200</sup> BiH Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form H; World Vision, "EU and World Vision support rehabilitation and social inclusion of landmine survivors in Bosnia and Herzegovina," 24 July 2019, [bit.ly/WorldVisionBiH24July2019](http://bit.ly/WorldVisionBiH24July2019); EU, "EU improves lives of landmine victims in BiH," 3 November 2017, [bit.ly/EUimproveslivesminevictimsBiH](http://bit.ly/EUimproveslivesminevictimsBiH); World Vision Austria, "Jahresbericht 2017" ("Annual Report 2017"), undated, p. 10; BiH Mine Ban Treaty Article 7 Report (for calendar year 2017), Form J; and World Vision, "Mine Survivors Improve Entrepreneurial Skills," 4 April 2018, [bit.ly/WorldVisionBiH4April2018](http://bit.ly/WorldVisionBiH4April2018).

<sup>201</sup> Emails from Maja Dundov Gali, Croatia Mine Action Center (CROMAC), 7 April 2015; and Marija Breber, MineAid, 10 April 2015.

<sup>202</sup> Croatia CCW Amended Protocol II Article 13 Report (for calendar year 2019), Form B.

<sup>203</sup> Croatia Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form H.

<sup>204</sup> "Society: the Kabalaye orthopedic and rehabilitation center is on the brink," *Tchadinfos.com*, 26 August 2018, [bit.ly/TchadInfos26Aug2018](http://bit.ly/TchadInfos26Aug2018).

<sup>205</sup> Email from Marie-Cécile Tournier, Chad Country Director, HI, 28 April 2020.

States Party	Action points, recommendations, and updates
Guinea-Bissau	<ul style="list-style-type: none"> <li>• Train survivors and other persons with disabilities to advocate for equal opportunities and increased access to assistance.</li> <li>• Ensure that broader programs, such as international cooperation for post-conflict reconstruction and poverty reduction, reach the most vulnerable members of society.</li> </ul> <p>Guinea-Bissau reported that it has been “partnering with International Committee of the Red Cross (ICRC) on physical rehabilitation program for all persons with disability since 2012.”<sup>206</sup> No specific progress was recorded.</p>
Iraq	<ul style="list-style-type: none"> <li>• Establish a system of data collection and analysis for persons with disabilities.</li> <li>• Implement the recommendations of the UN Assistance Mission in Iraq (UNAMI)/Office of the High Commissioner for Human Rights (OHCHR) Report on the Rights of Persons with Disabilities in Iraq.</li> <li>• Incorporate the recommendations of the 2018 National Parallel Report on the CRPD for Iraq into policy and planning.</li> </ul> <p>Iraq needed to establish a unified and coordinated system of data collection and analysis for survivors and other persons with disabilities. Healthcare services for all persons with disabilities in Iraq has decreased over time, in part due to the security situation. Additional rehabilitation facilities were built in Iraq in 2018–2019, including a much-needed new center in Mosul, but the entire rehabilitation system lacked capacity to deliver enough services and devices to meet the increased needs. Iraq recognized that it needs to improve coordination among all of the 23 rehabilitation centers throughout the country, with a national referral mechanism to facilitate access to services, an increase in the number of qualified physicians and greater logistic preparations, especially for victims in remote areas.<sup>207</sup> The number of persons with disabilities who received vocational training through the state, compared to the size of the population of persons with disabilities in Iraq, made the figure appear insignificant to the needs.<sup>208</sup> The CRPD Committee Experts reviewing Iraq’s progress in September 2019 found that the challenges and consequences of “18 years of war, armed conflict and terrorism...had ravaged Iraq and...had had a disproportionate impact on persons with disabilities.”<sup>209</sup></p>

<sup>206</sup> Guinea-Bissau convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form H.

<sup>207</sup> Iraq Mine Ban Treaty Article 7 Report (for calendar year 2017), Form J.

<sup>208</sup> Iraqi Alliance of Disability Organizations (IADO), “The Parallel Report for Government’s Report on the Convention on the Rights of Persons with Disability (CRPD),” (Baghdad: IADO, 2018), pp. 67–68. The report was written by Hashim Al-Azzawi, General Supervisor, Falah Al-Yasiri, Legal Expert and Muwafaq Al-Khafaji, International Expert, in collaboration with HI.

<sup>209</sup> OHCHR, “Committee on the Rights of Persons with Disabilities discusses the impact of the armed conflict on persons with disabilities in Iraq,” 11 September 2019, [bit.ly/OHCHR-CRPD11Sep2019](https://bit.ly/OHCHR-CRPD11Sep2019).

States Party	Action points, recommendations, and updates
Lao PDR	<ul style="list-style-type: none"> <li>• Improve access to rehabilitation services from remote and rural areas, including allocating resources to bring beneficiaries for rehabilitation and ensuring that transport is available.</li> <li>• Increase state support for psychological and social assistance, including peer-to-peer counseling and survivor-driven economic activities.</li> </ul> <p>The national Centre for Medical Rehabilitation (CMR) in Lao PDR, operated by the Ministry of Public Health in cooperation with the Cooperative Orthotic and Prosthetic Enterprise (COPE), continued to provide physical rehabilitation services including in provincial rehabilitation centers and through community outreach mobile clinic rehabilitation teams.<sup>210</sup> An HI project supports transport and costs of existing healthcare providers to address a lack of healthcare and rehabilitation services at community level in two provinces.<sup>211</sup> In 2017, the United States Agency for International Development (USAID) initiated a US\$15 million five-year project for services and support to the disability sector in Lao PDR. The USAID Okard project is managed and implemented by World Education Laos (WEL), with support from partners including national government bodies and NGOs working on victim assistance. The Okard project replaced the four-year (2014–2017) USAID-funded, WEL-managed Training, Economic Empowerment, Assistive Technology, and Medical and Physical Rehabilitation (TEAM) project, and an associated project underway during the same time period, the Victim Assistance Support Team (VAST), implemented directly by WEL.<sup>212</sup></p>
Lebanon	<ul style="list-style-type: none"> <li>• Secure sufficient survivor assistance funding.</li> <li>• Create a sustainable funding strategy for the physical rehabilitation sector that relies on international funding and national donations.</li> </ul> <p>Lebanon Mine Action Centre (LMAC) reported that in 2019 many victims benefited from prosthetic services funded by the Ministry of Social Affairs. There is a strong need for funds in order to provide these services, a need for specialists, and an increased budget for rehabilitation and training.<sup>213</sup> There was a decrease in financial support for rehabilitation services overall, as well as for social and economic inclusion assistance.<sup>214</sup> DanChurchAid (DCA) Lebanon, with a national partner, the Faculty of Health Science at the Balamand University of Beirut, supported sustainable income generation and businesses, as well as vocational, academic and business training.<sup>215</sup> Psychosocial support interventions for victims were also supported by DCA.<sup>216</sup></p>

<sup>210</sup> COPE, “Reaching Remote Communities,” undated, [bit.ly/COPELaosCommunityOutreach](http://bit.ly/COPELaosCommunityOutreach).

<sup>211</sup> Response to Monitor questionnaire by Benoit Couturier, HI Lao PDR, 15 May 2020.

<sup>212</sup> WEL, “TEAM Laos Project Overview,” undated; TEAM, “Project Updates,” undated; and interview with WEL VAST, in Vientiane, 12 June 2015.

<sup>213</sup> Lebanon Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form H.

<sup>214</sup> Response to Monitor questionnaire by Lt. Fadi Wazen, Operations Section Head, LMAC, 9 April 2020.

<sup>215</sup> DCA, “Where We Work And What We Do: Lebanon,” October 2019, [bit.ly/DCALebanon](http://bit.ly/DCALebanon).

<sup>216</sup> Lebanon Convention on Cluster Munitions Article 7 Report (for calendar year 2019), Form H.

States Party	Action points, recommendations, and updates
Montenegro	<ul style="list-style-type: none"> <li>• Improve the participation and economic inclusion of persons with disabilities.</li> </ul> <p>Montenegro has a strategy for the Protection of Persons with Disabilities from Discrimination and Promotion of Equality 2017–2021. In 2017, the Committee on the Rights of Persons with Disabilities reported on Montenegro’s lack of progress, stating that “the lion’s share remained” to be achieved. Committee experts inquired about the financial situation for NGOs that provided social services for persons with disabilities and the transparency of the Fund for Professional Rehabilitation and Employment of Persons with Disabilities.<sup>217</sup> In 2019, Montenegro reported that it had improved support for projects and programs of NGOs of persons with disabilities.<sup>218</sup></p>
Sierra Leone	<ul style="list-style-type: none"> <li>• Improve basic healthcare and economic opportunities for survivors.</li> </ul> <p>No updates were available. Sierra Leone remains one of the world’s poorest countries, and a lack of resources and support result in the underrepresentation of persons with disabilities in society.<sup>219</sup> The Disability Act of 2011 has been criticized for not being implemented adequately. A National Commission for Persons with Disability was established in 2012 to ensure that the Disability Act was put into practice. Inadequate coordination between the relevant disability sector actors in Sierra Leone added to existing challenges.<sup>220</sup></p>
Somalia	<ul style="list-style-type: none"> <li>• Establish a coordination mechanism.</li> <li>• Integrate victim assistance within disability frameworks.</li> <li>• Support needs assessment surveys to target assistance that has limited resources.</li> </ul> <p>Victim assistance workshops, including government actors and representatives of persons with disabilities, were held in Somalia in 2019.<sup>221</sup> Applying the findings of a UN Mine Action Service (UNMAS)-funded victim assistance situational analysis in 2018, Somalia initiated an inclusive process for the development of a nationwide Victim Assistance and Disability Action Plan, which was subsequently launched in Oslo in November 2019.<sup>222</sup> Since the late 1990s, the Norwegian Red Cross (NRC), with ICRC support, helped physical rehabilitation centers run by the Somali Red Crescent</p>

<sup>217</sup> Committee on the Rights of Persons with Disabilities, “Committee on the Rights of Persons with Disabilities considers the initial report of Montenegro,” 18 August 2017, [bit.ly/CRPDMontenegroAug2017](http://bit.ly/CRPDMontenegroAug2017).

<sup>218</sup> Government of Montenegro, Ministry for Human and Minority Rights, “The Government of Montenegro is working intensively to reduce discrimination against persons with disabilities,” 29 March 2019, [bit.ly/Montenegro29Mar2019](http://bit.ly/Montenegro29Mar2019).

<sup>219</sup> HI, “Sierra Leone”; undated, [www.hi-us.org/sierra\\_leone](http://www.hi-us.org/sierra_leone).

<sup>220</sup> Westminster Foundation for Democracy, “Advancing disability rights in Sierra Leone,” 6 January 2020, [bit.ly/WFDDisabilityRightsSierraLeone](http://bit.ly/WFDDisabilityRightsSierraLeone).

<sup>221</sup> UNSOM, “UNSOM Victim Assistance Workshop, 19 November 2019,” [bit.ly/UNSOM-VAWorkshop2019](http://bit.ly/UNSOM-VAWorkshop2019); and UNMAS, “Somalia plans to develop a strategy to assist survivors of mine explosions,” 30 June 2019, [bit.ly/UNMAS-Somalia30Jun2019](http://bit.ly/UNMAS-Somalia30Jun2019).

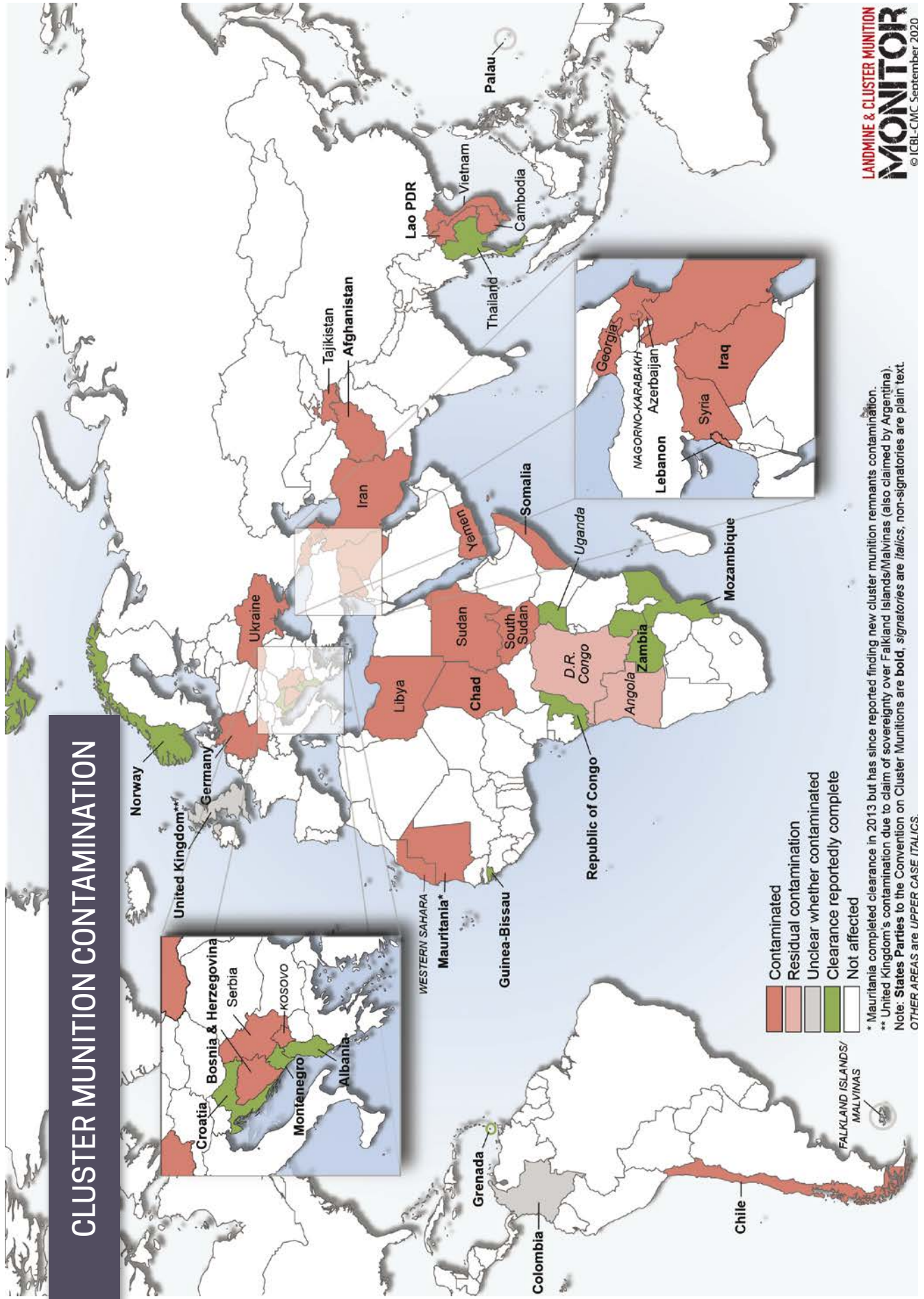
<sup>222</sup> Statement of Somalia, Mine Ban Treaty Forth Review Conference, Oslo, 25–29 November 2019; and UNMAS, “Victim Assistance Assessment Report in Somalia,” 12 December 2018, [bit.ly/UNMAS-VASomaliaDec2018](http://bit.ly/UNMAS-VASomaliaDec2018).

States Party	Action points, recommendations, and updates
Somalia	Society (SRCS) in Galkayo, Hargeisa and Mogadishu. <sup>223</sup> Somalia enacted a law in December 2018 establishing a National Disability Agency with the mandate to develop livelihood training centers for persons with disabilities. Somalia fast-tracked ratification of the CRPD, on 6 August 2019, due to “intense lobbying by DPOs and responsiveness on the part of the government”. <sup>224</sup>

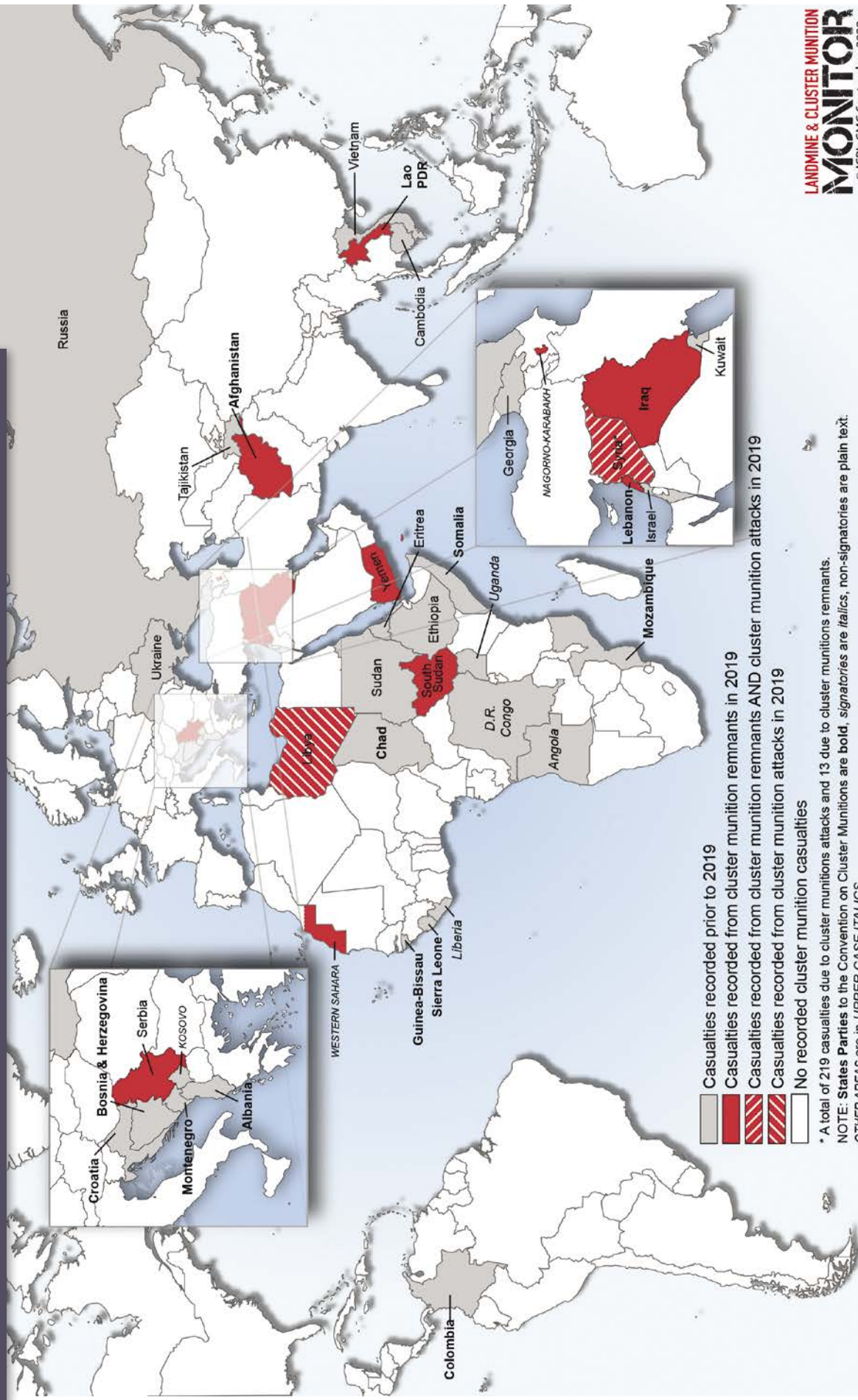
<sup>223</sup> ICRC MoveAbility, “Disability Rehabilitation Inclusion, Somalia,” undated, p. 1, [bit.ly/MoveAbilitySomalia](http://bit.ly/MoveAbilitySomalia).

<sup>224</sup> Patrick Onyango, “One Year On: Somalia’s Commitments to Persons with Disabilities Signify a Return to the International Human Rights System,” Disability Rights Fund, October 2019, [bit.ly/DisabilityRightFundSomalia2019](http://bit.ly/DisabilityRightFundSomalia2019).

# CLUSTER MUNITION CONTAMINATION



# CLUSTER MUNITION CASUALTIES IN 2019 AND IN HISTORICAL DATA







Technician working in the production unit of wheelchairs at the Kandahar Rehabilitation Centre, Afghanistan.

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# STATUS OF THE CONVENTION

## 2008 CONVENTION ON CLUSTER MUNITIONS

Under Article 15, the convention was open for signature from 3 December 2008 until its entry into force, which was 1 August 2010. On the following list, the first date is signature; the second date is ratification. Now that the convention has entered into force, states may no longer sign—rather they may become bound through a one-step procedure known as accession. According to Article 16(2), the treaty is open for accession by any state that has not signed. Accession is indicated below with (a).

As of 15 September 2020 there were 110 States Parties and 13 signatories.

### STATES PARTIES

Afghanistan 3 Dec 08; 8 Sep 11	Burkina Faso 3 Dec 08; 16 Feb 10
Albania 3 Dec 08; 16 Jun 09	Burundi 3 Dec 08; 25 Sep 09
Andorra 9 Apr 13 (a)	Cameroon 15 Dec 09; 12 Jul 12
Antigua and Barbuda 16 Jul 10; 23 Aug 10	Canada 3 Dec 08; 16 Mar 15
Australia 3 Dec 08; 8 Oct 12	Cape Verde 3 Dec 08; 19 Oct 10
Austria 3 Dec 08; 2 Apr 09	Chad 3 Dec 08; 26 Mar 13
Belgium 3 Dec 08; 22 Dec 09	Chile 3 Dec 08; 16 Dec 10
Belize 2 Sep 14 (a)	Colombia 3 Dec 08; 10 Sep 15
Benin 3 Dec 08; 10 Jul 17	Comoros 3 Dec 08; 28 Jul 10
Bolivia 3 Dec 08; 30 Apr 13	Congo, Rep. 3 Dec 08; 2 Sep 14
Bosnia and Herzegovina 3 Dec 08; 7 Sep 10	Cook Islands 3 Dec 08; 23 Aug 11
Botswana 3 Dec 08; 27 Jun 11	Costa Rica 3 Dec 08; 28 Apr 11
Bulgaria 3 Dec 08; 6 Apr 11	Côte d'Ivoire 4 Dec 08; 12 Mar 12
	Croatia 3 Dec 08; 17 Aug 09

Cuba 6 Apr 16 (a)  
 Czech Republic 3 Dec 08; 22 Sep 11  
 Denmark 3 Dec 08; 12 Feb 10  
 Dominican Republic 10 Nov 09;  
 20 Dec 11  
 Ecuador 3 Dec 08; 11 May 10  
 El Salvador 3 Dec 08; 10 Jan 11  
 Eswatini 13 Sep 11 (a)  
 Fiji 3 Dec 08; 28 May 10  
 France 3 Dec 08; 25 Sep 09  
 Gambia 3 Dec 08; 11 Dec 18  
 Germany 3 Dec 08; 8 Jul 09  
 Ghana 3 Dec 08; 3 Feb 11  
 Grenada 29 Jun 11 (a)  
 Guatemala 3 Dec 08; 3 Nov 10  
 Guinea 3 Dec 08; 21 Oct 14  
 Guinea-Bissau 3 Dec 08; 29 Nov 10  
 Guyana 31 Oct 14 (a)  
 Holy See 3 Dec 08; 3 Dec 08  
 Honduras 3 Dec 08; 21 Mar 12  
 Hungary 3 Dec 08; 3 Jul 12  
 Iceland 3 Dec 08; 31 Aug 15  
 Iraq 12 Nov 09; 14 May 13  
 Ireland 3 Dec 08; 3 Dec 08  
 Italy 3 Dec 08; 21 Sep 11  
 Japan 3 Dec 08; 14 Jul 09  
 Lao PDR 3 Dec 08; 18 Mar 09  
 Lebanon 3 Dec 08; 5 Nov 10  
 Lesotho 3 Dec 08; 28 May 10  
 Liechtenstein 3 Dec 08; 4 Mar 13  
 Lithuania 3 Dec 08; 24 Mar 11  
 Luxembourg 3 Dec 08; 10 Jul 09  
 Madagascar 3 Dec 08; 20 May 17  
 Malawi 3 Dec 08; 7 Oct 09  
 Maldives 27 Sep 19 (a)  
 Mali 3 Dec 08; 30 Jun 10  
 Malta 3 Dec 08; 24 Sep 09  
 Mauritania 19 Apr 10; 1 Feb 12  
 Mauritius 1 Oct 15 (a)  
 Mexico 3 Dec 08; 6 May 09  
 Moldova 3 Dec 08; 16 Feb 10  
 Monaco 3 Dec 08; 21 Sep 10  
 Montenegro 3 Dec 08; 25 Jan 10  
 Mozambique 3 Dec 08; 14 Mar 11  
 Namibia 3 Dec 08; 31 Aug 18  
 Nauru 3 Dec 08; 4 Feb 13  
 Netherlands 3 Dec 08; 23 Feb 11  
 New Zealand 3 Dec 08; 22 Dec 09  
 Nicaragua 3 Dec 08; 2 Nov 09  
 Niger 3 Dec 08; 2 Jun 09  
 Niue 6 Aug 20 (a)  
 North Macedonia 3 Dec 08; 8 Oct 09  
 Norway 3 Dec 08; 3 Dec 08  
 Palau 3 Dec 08; 19 Apr 16  
 Palestine 2 Jan 15 (a)  
 Panama 3 Dec 08; 29 Nov 10  
 Paraguay 3 Dec 08; 12 Mar 15  
 Peru 3 Dec 08; 26 Sep 12  
 Philippines 3 Dec 08; 3 Jan 19  
 Portugal 3 Dec 08; 9 Mar 11  
 Rwanda 3 Dec 08; 25 Aug 15  
 Saint Kitts and Nevis 13 Sep 13 (a)  
 Saint Lucia 15 Sep 20 (a)  
 Saint Vincent and the Grenadines  
 23 Sep 09; 29 Oct 10  
 Samoa 3 Dec 08; 28 Apr 10  
 San Marino 3 Dec 08; 10 Jul 09  
 São Tomé & Príncipe 3 Dec 08; 27 Jan 20  
 Senegal 3 Dec 08; 3 Aug 11  
 Seychelles 13 Apr 10; 20 May 10  
 Sierra Leone 3 Dec 08; 3 Dec 08  
 Slovak Republic 24 Jul 15 (a)  
 Slovenia 3 Dec 08; 19 Aug 09  
 Somalia 3 Dec 08; 30 Sep 15  
 South Africa 3 Dec 08; 28 May 15  
 Spain 3 Dec 08; 17 Jun 09  
 Sri Lanka 1 Mar 2018 (a)  
 Sweden 3 Dec 08; 23 Apr 12  
 Switzerland 3 Dec 08; 17 Jul 12  
 Togo 3 Dec 08; 22 Jun 12  
 Trinidad and Tobago 21 Sep 11 (a)  
 Tunisia 12 Jan 09; 28 Sep 10  
 United Kingdom 3 Dec 08; 4 May 10  
 Uruguay 3 Dec 08; 24 Sep 09  
 Zambia 3 Dec 08; 12 Aug 09

## SIGNATORIES

Angola 3 Dec 08  
 Central African Republic 3 Dec 08

Congo, Dem. Rep. 18 Mar 09  
 Cyprus 23 Sep 09

Djibouti 30 Jul 10  
 Haiti 28 Oct 09  
 Indonesia 3 Dec 08  
 Jamaica 12 Jun 09  
 Kenya 3 Dec 08

Liberia 3 Dec 08  
 Nigeria 12 Jun 09  
 Tanzania 3 Dec 08  
 Uganda 3 Dec 08

## NON-SIGNATORIES

Algeria  
 Argentina  
 Armenia  
 Azerbaijan  
 Bahamas  
 Bahrain  
 Bangladesh  
 Barbados  
 Belarus  
 Bhutan  
 Brazil  
 Brunei Darussalam  
 Cambodia  
 China  
 Dominica  
 Egypt  
 Equatorial Guinea  
 Eritrea  
 Estonia  
 Ethiopia  
 Finland  
 Gabon  
 Georgia  
 Greece  
 India  
 Iran  
 Israel  
 Jordan  
 Kazakhstan  
 Kiribati  
 Korea, North  
 Korea, South  
 Kuwait  
 Kyrgyzstan  
 Latvia  
 Libya  
 Malaysia  
 Marshall Islands

Micronesia, Federated States of  
 Mongolia  
 Morocco  
 Myanmar/Burma  
 Nepal  
 Oman  
 Pakistan  
 Papua New Guinea  
 Poland  
 Qatar  
 Romania  
 Russian Federation  
 Saudi Arabia  
 Serbia  
 Singapore  
 Solomon Islands  
 South Sudan  
 Sudan  
 Suriname  
 Syria  
 Tajikistan  
 Thailand  
 Timor-Leste  
 Tonga  
 Turkey  
 Turkmenistan  
 Tuvalu  
 Ukraine  
 United Arab Emirates  
 United States  
 Uzbekistan  
 Vanuatu  
 Venezuela  
 Vietnam  
 Yemen  
 Zimbabwe

# CONVENTION ON CLUSTER MUNITIONS

## DIPLOMATIC CONFERENCE FOR THE ADOPTION OF A CONVENTION ON CLUSTER MUNITIONS

DUBLIN 19-30 MAY 2008

CCM/77

### CONVENTION ON CLUSTER MUNITIONS

The States Parties to this Convention,

*Deeply concerned* that civilian populations and individual civilians continue to bear the brunt of armed conflict,

*Determined* to put an end for all time to the suffering and casualties caused by cluster munitions at the time of their use, when they fail to function as intended or when they are abandoned,

*Concerned* that cluster munition remnants kill or maim civilians, including women and children, obstruct economic and social development, including through the loss of livelihood, impede post-conflict rehabilitation and reconstruction, delay or prevent the return of refugees and internally displaced persons, can negatively impact on national and international peace-building and humanitarian assistance efforts, and have other severe consequences that can persist for many years after use,

*Deeply concerned* also at the dangers presented by the large national stockpiles of cluster munitions retained for operational use and *determined* to ensure their rapid destruction,

*Believing* it necessary to contribute effectively in an efficient, coordinated manner to resolving the challenge of removing cluster munition remnants located throughout the world, and to ensure their destruction,

*Determined* also to ensure the full realisation of the rights of all cluster munition victims and *recognising* their inherent dignity,

*Resolved* to do their utmost in providing assistance to cluster munition victims, including medical care, rehabilitation and psychological support, as well as providing for their social and economic inclusion,

*Recognising* the need to provide age- and gender-sensitive assistance to cluster munition victims and to address the special needs of vulnerable groups,

*Bearing in mind* the Convention on the Rights of Persons with Disabilities which, *inter alia*, requires that States Parties to that Convention undertake to ensure and promote the full realisation of all human rights and fundamental freedoms of all persons with disabilities without discrimination of any kind on the basis of disability,

*Mindful* of the need to coordinate adequately efforts undertaken in various fora to address the rights and needs of victims of various types of weapons, and *resolved* to avoid discrimination among victims of various types of weapons,

*Reaffirming* that in cases not covered by this Convention or by other international agreements, civilians and combatants remain under the protection and authority of the principles of international law, derived from established custom, from the principles of humanity and from the dictates of public conscience,

*Resolved* also that armed groups distinct from the armed forces of a State shall not, under any circumstances, be permitted to engage in any activity prohibited to a State Party to this Convention,

*Welcoming* the very broad international support for the international norm prohibiting anti-personnel mines, enshrined in the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction,

*Welcoming* also the adoption of the Protocol on Explosive Remnants of War, annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, and its entry into force on 12 November 2006, and *wishing* to enhance the protection of civilians from the effects of cluster munition remnants in post-conflict environments,

*Bearing in mind* also United Nations Security Council Resolution 1325 on women, peace and security and United Nations Security Council Resolution 1612 on children in armed conflict,

*Welcoming* further the steps taken nationally, regionally and globally in recent years aimed at prohibiting, restricting or suspending the use, stockpiling, production and transfer of cluster munitions,

*Stressing* the role of public conscience in furthering the principles of humanity as evidenced by the global call for an end to civilian suffering caused by cluster munitions and *recognising* the efforts to that end undertaken by the United Nations, the International Committee of the Red Cross, the Cluster Munition Coalition and numerous other non-governmental organisations around the world,

*Reaffirming* the Declaration of the Oslo Conference on Cluster Munitions, by which, *inter alia*, States recognised the grave consequences caused by the use of cluster munitions and committed themselves to conclude by 2008 a legally binding instrument that would prohibit the use, production, transfer and stockpiling of cluster munitions that cause unacceptable harm to civilians, and would establish a framework for cooperation and assistance that ensures adequate provision of care and rehabilitation for victims, clearance of contaminated areas, risk reduction education and destruction of stockpiles,

*Emphasising* the desirability of attracting the adherence of all States to this Convention, and determined to work strenuously towards the promotion of its universalisation and its full implementation,

*Basing* themselves on the principles and rules of international humanitarian law, in particular the principle that the right of parties to an armed conflict to choose methods or means of warfare is not unlimited, and the rules that the parties to a conflict shall at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly direct their operations against military objectives only, that in the conduct of military operations constant care shall be taken to spare the civilian population, civilians and civilian objects and that the civilian population and individual civilians enjoy general protection against dangers arising from military operations,

**HAVE AGREED** as follows:

## ARTICLE 1

### General obligations and scope of application

1. Each State Party undertakes never under any circumstances to:
  - a. Use cluster munitions;
  - b. Develop, produce, otherwise acquire, stockpile, retain or transfer to anyone, directly or indirectly, cluster munitions;
  - c. Assist, encourage or induce anyone to engage in any activity prohibited to a State Party under this Convention.
2. Paragraph 1 of this Article applies, *mutatis mutandis*, to explosive bomblets that are specifically designed to be dispersed or released from dispensers affixed to aircraft.
3. This Convention does not apply to mines.

## ARTICLE 2

### Definitions

For the purposes of this Convention:

1. **“Cluster munition victims”** means all persons who have been killed or suffered physical

or psychological injury, economic loss, social marginalisation or substantial impairment of the realisation of their rights caused by the use of cluster munitions. They include those persons directly impacted by cluster munitions as well as their affected families and communities;

2. **“Cluster munition”** means a conventional munition that is designed to disperse or release explosive submunitions each weighing less than 20 kilograms, and includes those explosive submunitions. It does not mean the following:
  - a. A munition or submunition designed to dispense flares, smoke, pyrotechnics or chaff; or a munition designed exclusively for an air defence role;
  - b. A munition or submunition designed to produce electrical or electronic effects;
  - c. A munition that, in order to avoid indiscriminate area effects and the risks posed by unexploded submunitions, has all of the following characteristics:
    - i. Each munition contains fewer than ten explosive submunitions;
    - ii. Each explosive submunition weighs more than four kilograms;
    - iii. Each explosive submunition is designed to detect and engage a single target object;
    - iv. Each explosive submunition is equipped with an electronic self-destruction mechanism;
    - v. Each explosive submunition is equipped with an electronic self-deactivating feature.
3. **“Explosive submunition”** means a conventional munition that in order to perform its task is dispersed or released by a cluster munition and is designed to function by detonating an explosive charge prior to, on or after impact;
4. **“Failed cluster munition”** means a cluster munition that has been fired, dropped, launched, projected or otherwise delivered and which should have dispersed or released its explosive submunitions but failed to do so;
5. **“Unexploded submunition”** means an explosive submunition that has been dispersed or released by, or otherwise separated from, a cluster munition and has failed to explode as intended;
6. **“Abandoned cluster munitions”** means cluster munitions or explosive submunitions that have not been used and that have been left behind or dumped, and that are no longer under the control of the party that left them behind or dumped them. They may or may not have been prepared for use;
7. **“Cluster munition remnants”** means failed cluster munitions, abandoned cluster munitions, unexploded submunitions and unexploded bomblets;
8. **“Transfer”** involves, in addition to the physical movement of cluster munitions into or from national territory, the transfer of title to and control over cluster munitions, but does not involve the transfer of territory containing cluster munition remnants;
9. **“Self-destruction mechanism”** means an incorporated automatically-functioning mechanism which is in addition to the primary initiating mechanism of the munition and which secures the destruction of the munition into which it is incorporated;
10. **“Self-deactivating”** means automatically rendering a munition inoperable by means of the irreversible exhaustion of a component, for example a battery, that is essential to the operation of the munition;
11. **“Cluster munition contaminated area”** means an area known or suspected to contain cluster munition remnants;
12. **“Mine”** means a munition designed to be placed under, on or near the ground or other surface area and to be exploded by the presence, proximity or contact of a person or a vehicle;
13. **“Explosive bomblet”** means a conventional munition, weighing less than 20 kilograms, which is not self-propelled and which, in order to perform its task, is dispersed or released by a dispenser, and is designed to function by detonating an explosive charge prior to, on or after impact;
14. **“Dispenser”** means a container that is designed to disperse or release explosive bomblets and which is affixed to an aircraft at the time of dispersal or release;
15. **“Unexploded bomblet”** means an explosive bomblet that has been dispersed, released or otherwise separated from a dispenser and has failed to explode as intended.

## ARTICLE 3

### Storage and stockpile destruction

1. Each State Party shall, in accordance with national regulations, separate all cluster munitions under its jurisdiction and control from munitions retained for operational use and mark them for the purpose of destruction.
2. Each State Party undertakes to destroy or ensure the destruction of all cluster munitions referred to in paragraph 1 of this Article as soon as possible but not later than eight years after the entry into force of this Convention for that State Party. Each State Party undertakes to ensure that destruction methods comply with applicable international standards for protecting public health and the environment.
3. If a State Party believes that it will be unable to destroy or ensure the destruction of all cluster munitions referred to in paragraph 1 of this Article within eight years of entry into force of this Convention for that State Party it may submit a request to a Meeting of States Parties or a Review Conference for an extension of the deadline for completing the destruction of such cluster munitions by a period of up to four years. A State Party may, in exceptional circumstances, request additional extensions of up to four years. The requested extensions shall not exceed the number of years strictly necessary for that State Party to complete its obligations under paragraph 2 of this Article.
4. Each request for an extension shall set out:
  - a. The duration of the proposed extension;
  - b. A detailed explanation of the proposed extension, including the financial and technical means available to or required by the State Party for the destruction of all cluster munitions referred to in paragraph 1 of this Article and, where applicable, the exceptional circumstances justifying it;
  - c. A plan for how and when stockpile destruction will be completed;
  - d. The quantity and type of cluster munitions and explosive submunitions held at the entry into force of this Convention for that State Party and any additional cluster munitions or explosive submunitions discovered after such entry into force;
  - e. The quantity and type of cluster munitions and explosive submunitions destroyed during the period referred to in paragraph 2 of this Article; and
  - f. The quantity and type of cluster munitions and explosive submunitions remaining to be destroyed during the proposed extension and the annual destruction rate expected to be achieved.
5. The Meeting of States Parties or the Review Conference shall, taking into consideration the factors referred to in paragraph 4 of this Article, assess the request and decide by a majority of votes of States Parties present and voting whether to grant the request for an extension. The States Parties may decide to grant a shorter extension than that requested and may propose benchmarks for the extension, as appropriate. A request for an extension shall be submitted a minimum of nine months prior to the Meeting of States Parties or the Review Conference at which it is to be considered.
6. Notwithstanding the provisions of Article 1 of this Convention, the retention or acquisition of a limited number of cluster munitions and explosive submunitions for the development of and training in cluster munition and explosive submunition detection, clearance or destruction techniques, or for the development of cluster munition counter-measures, is permitted. The amount of explosive submunitions retained or acquired shall not exceed the minimum number absolutely necessary for these purposes.
7. Notwithstanding the provisions of Article 1 of this Convention, the transfer of cluster munitions to another State Party for the purpose of destruction, as well as for the purposes described in paragraph 6 of this Article, is permitted.
8. States Parties retaining, acquiring or transferring cluster munitions or explosive submunitions for the purposes described in paragraphs 6 and 7 of this Article shall submit a detailed report on the planned and actual use of these cluster munitions and explosive submunitions and their type, quantity and lot numbers. If cluster munitions or explosive submunitions are transferred to another State Party for these purposes, the report shall include reference to the receiving party. Such a report shall be prepared for each year during which a State Party retained, acquired or transferred cluster munitions or explosive submunitions and shall be submitted to the Secretary-General of the United Nations no later than 30 April of the following year.



## ARTICLE 4

### Clearance and destruction of cluster munition remnants and risk reduction education

1. Each State Party undertakes to clear and destroy, or ensure the clearance and destruction of, cluster munition remnants located in cluster munition contaminated areas under its jurisdiction or control, as follows:
  - a. Where cluster munition remnants are located in areas under its jurisdiction or control at the date of entry into force of this Convention for that State Party, such clearance and destruction shall be completed as soon as possible but not later than ten years from that date;
  - b. Where, after entry into force of this Convention for that State Party, cluster munitions have become cluster munition remnants located in areas under its jurisdiction or control, such clearance and destruction must be completed as soon as possible but not later than ten years after the end of the active hostilities during which such cluster munitions became cluster munition remnants; and
  - c. Upon fulfilling either of its obligations set out in sub-paragraphs (a) and (b) of this paragraph, that State Party shall make a declaration of compliance to the next Meeting of States Parties.
2. In fulfilling its obligations under paragraph 1 of this Article, each State Party shall take the following measures as soon as possible, taking into consideration the provisions of Article 6 of this Convention regarding international cooperation and assistance:
  - a. Survey, assess and record the threat posed by cluster munition remnants, making every effort to identify all cluster munition contaminated areas under its jurisdiction or control;
  - b. Assess and prioritise needs in terms of marking, protection of civilians, clearance and destruction, and take steps to mobilise resources and develop a national plan to carry out these activities, building, where appropriate, upon existing structures, experiences and methodologies;
  - c. Take all feasible steps to ensure that all cluster munition contaminated areas under its jurisdiction or control are perimeter-marked, monitored and protected by fencing or other means to ensure the effective exclusion of civilians. Warning signs based on methods of marking readily recognisable by the affected community should be utilised in the marking of suspected hazardous areas. Signs and other hazardous area boundary markers should, as far as possible, be visible, legible, durable and resistant to environmental effects and should clearly identify which side of the marked boundary is considered to be within the cluster munition contaminated areas and which side is considered to be safe;
  - d. Clear and destroy all cluster munition remnants located in areas under its jurisdiction or control; and
  - e. Conduct risk reduction education to ensure awareness among civilians living in or around cluster munition contaminated areas of the risks posed by such remnants.
3. In conducting the activities referred to in paragraph 2 of this Article, each State Party shall take into account international standards, including the International Mine Action Standards (IMAS).
4. This paragraph shall apply in cases in which cluster munitions have been used or abandoned by one State Party prior to entry into force of this Convention for that State Party and have become cluster munition remnants that are located in areas under the jurisdiction or control of another State Party at the time of entry into force of this Convention for the latter.
  - a. In such cases, upon entry into force of this Convention for both States Parties, the former State Party is strongly encouraged to provide, *inter alia*, technical, financial, material or human resources assistance to the latter State Party, either bilaterally or through a mutually agreed third party, including through the United Nations system or other relevant organisations, to facilitate the marking, clearance and destruction of such cluster munition remnants.

- b. Such assistance shall include, where available, information on types and quantities of the cluster munitions used, precise locations of cluster munition strikes and areas in which cluster munition remnants are known to be located.
5. If a State Party believes that it will be unable to clear and destroy or ensure the clearance and destruction of all cluster munition remnants referred to in paragraph 1 of this Article within ten years of the entry into force of this Convention for that State Party, it may submit a request to a Meeting of States Parties or a Review Conference for an extension of the deadline for completing the clearance and destruction of such cluster munition remnants by a period of up to five years. The requested extension shall not exceed the number of years strictly necessary for that State Party to complete its obligations under paragraph 1 of this Article.
6. A request for an extension shall be submitted to a Meeting of States Parties or a Review Conference prior to the expiry of the time period referred to in paragraph 1 of this Article for that State Party. Each request shall be submitted a minimum of nine months prior to the Meeting of States Parties or Review Conference at which it is to be considered. Each request shall set out:
  - a. The duration of the proposed extension;
  - b. A detailed explanation of the reasons for the proposed extension, including the financial and technical means available to and required by the State Party for the clearance and destruction of all cluster munition remnants during the proposed extension;
  - c. The preparation of future work and the status of work already conducted under national clearance and demining programmes during the initial ten year period referred to in paragraph 1 of this Article and any subsequent extensions;
  - d. The total area containing cluster munition remnants at the time of entry into force of this Convention for that State Party and any additional areas containing cluster munition remnants discovered after such entry into force;
  - e. The total area containing cluster munition remnants cleared since entry into force of this Convention;
  - f. The total area containing cluster munition remnants remaining to be cleared during the proposed extension;
  - g. The circumstances that have impeded the ability of the State Party to destroy all cluster munition remnants located in areas under its jurisdiction or control during the initial ten year period referred to in paragraph 1 of this Article, and those that may impede this ability during the proposed extension;
  - h. The humanitarian, social, economic and environmental implications of the proposed extension; and
  - i. Any other information relevant to the request for the proposed extension.
7. The Meeting of States Parties or the Review Conference shall, taking into consideration the factors referred to in paragraph 6 of this Article, including, *inter alia*, the quantities of cluster munition remnants reported, assess the request and decide by a majority of votes of States Parties present and voting whether to grant the request for an extension. The States Parties may decide to grant a shorter extension than that requested and may propose benchmarks for the extension, as appropriate.

Such an extension may be renewed by a period of up to five years upon the submission of a new request, in accordance with paragraphs 5, 6 and 7 of this Article. In requesting a further extension a State Party shall submit relevant additional information on what has been undertaken during the previous extension granted pursuant to this Article.

## ARTICLE 5

### Victim assistance

1. Each State Party with respect to cluster munition victims in areas under its jurisdiction or control shall, in accordance with applicable international humanitarian and human rights law, adequately provide age and gender-sensitive assistance, including medical care, rehabilitation and psychological support, as well as provide for their social and economic inclusion. Each State Party shall make every effort to collect reliable relevant data with respect to cluster munition victims.

2. In fulfilling its obligations under paragraph 1 of this Article each State Party shall:
  - a. Assess the needs of cluster munition victims;
  - b. Develop, implement and enforce any necessary national laws and policies;
  - c. Develop a national plan and budget, including timeframes to carry out these activities, with a view to incorporating them within the existing national disability, development and human rights frameworks and mechanisms, while respecting the specific role and contribution of relevant actors;
  - d. Take steps to mobilise national and international resources;
  - e. Not discriminate against or among cluster munition victims, or between cluster munition victims and those who have suffered injuries or disabilities from other causes; differences in treatment should be based only on medical, rehabilitative, psychological or socio-economic needs;
  - f. Closely consult with and actively involve cluster munition victims and their representative organisations;
  - g. Designate a focal point within the government for coordination of matters relating to the implementation of this Article; and
  - h. Strive to incorporate relevant guidelines and good practices including in the areas of medical care, rehabilitation and psychological support, as well as social and economic inclusion.

## ARTICLE 6

### International cooperation and assistance

1. In fulfilling its obligations under this Convention each State Party has the right to seek and receive assistance.
2. Each State Party in a position to do so shall provide technical, material and financial assistance to States Parties affected by cluster munitions, aimed at the implementation of the obligations of this Convention. Such assistance may be provided, inter alia, through the United Nations system, international, regional or national organisations or institutions, non-governmental organisations or institutions, or on a bilateral basis.
3. Each State Party undertakes to facilitate and shall have the right to participate in the fullest possible exchange of equipment and scientific and technological information concerning the implementation of this Convention. The States Parties shall not impose undue restrictions on the provision and receipt of clearance and other such equipment and related technological information for humanitarian purposes.
4. In addition to any obligations it may have pursuant to paragraph 4 of Article 4 of this Convention, each State Party in a position to do so shall provide assistance for clearance and destruction of cluster munition remnants and information concerning various means and technologies related to clearance of cluster munitions, as well as lists of experts, expert agencies or national points of contact on clearance and destruction of cluster munition remnants and related activities.
5. Each State Party in a position to do so shall provide assistance for the destruction of stockpiled cluster munitions, and shall also provide assistance to identify, assess and prioritise needs and practical measures in terms of marking, risk reduction education, protection of civilians and clearance and destruction as provided in Article 4 of this Convention.
6. Where, after entry into force of this Convention, cluster munitions have become cluster munition remnants located in areas under the jurisdiction or control of a State Party, each State Party in a position to do so shall urgently provide emergency assistance to the affected State Party.
7. Each State Party in a position to do so shall provide assistance for the implementation of the obligations referred to in Article 5 of this Convention to adequately provide age- and gender-sensitive assistance, including medical care, rehabilitation and psychological support, as well as provide for social and economic inclusion of cluster munition victims. Such assistance may be provided, inter alia, through the United Nations system, international, regional or national organisations or institutions, the International Committee of the Red Cross, national Red Cross and Red Crescent Societies and their International Federation, non-governmental organisations or on a bilateral basis.

8. Each State Party in a position to do so shall provide assistance to contribute to the economic and social recovery needed as a result of cluster munition use in affected States Parties.
9. Each State Party in a position to do so may contribute to relevant trust funds in order to facilitate the provision of assistance under this Article.
10. Each State Party that seeks and receives assistance shall take all appropriate measures in order to facilitate the timely and effective implementation of this Convention, including facilitation of the entry and exit of personnel, materiel and equipment, in a manner consistent with national laws and regulations, taking into consideration international best practices.
11. Each State Party may, with the purpose of developing a national action plan, request the United Nations system, regional organisations, other States Parties or other competent intergovernmental or non-governmental institutions to assist its authorities to determine, inter alia:
  - a. The nature and extent of cluster munition remnants located in areas under its jurisdiction or control;
  - b. The financial, technological and human resources required for the implementation of the plan;
  - c. The time estimated as necessary to clear and destroy all cluster munition remnants located in areas under its jurisdiction or control;
  - d. Risk reduction education programmes and awareness activities to reduce the incidence of injuries or deaths caused by cluster munition remnants;
  - e. Assistance to cluster munition victims; and
  - f. The coordination relationship between the government of the State Party concerned and the relevant governmental, intergovernmental or non-governmental entities that will work in the implementation of the plan.
12. States Parties giving and receiving assistance under the provisions of this Article shall cooperate with a view to ensuring the full and prompt implementation of agreed assistance programmes.

## ARTICLE 7

### Transparency measures

1. Each State Party shall report to the Secretary-General of the United Nations as soon as practicable, and in any event not later than 180 days after the entry into force of this Convention for that State Party, on:
  - a. The national implementation measures referred to in Article 9 of this Convention;
  - b. The total of all cluster munitions, including explosive submunitions, referred to in paragraph 1 of Article 3 of this Convention, to include a breakdown of their type, quantity and, if possible, lot numbers of each type;
  - c. The technical characteristics of each type of cluster munition produced by that State Party prior to entry into force of this Convention for it, to the extent known, and those currently owned or possessed by it, giving, where reasonably possible, such categories of information as may facilitate identification and clearance of cluster munitions; at a minimum, this information shall include the dimensions, fusing, explosive content, metallic content, colour photographs and other information that may facilitate the clearance of cluster munition remnants;
  - d. The status and progress of programmes for the conversion or decommissioning of production facilities for cluster munitions;
  - e. The status and progress of programmes for the destruction, in accordance with Article 3 of this Convention, of cluster munitions, including explosive submunitions, with details of the methods that will be used in destruction, the location of all destruction sites and the applicable safety and environmental standards to be observed;
  - f. The types and quantities of cluster munitions, including explosive submunitions, destroyed in accordance with Article 3 of this Convention, including details of the methods of destruction used, the location of the destruction sites and the applicable safety and environmental standards observed;

- g. Stockpiles of cluster munitions, including explosive submunitions, discovered after reported completion of the programme referred to in sub-paragraph (e) of this paragraph, and plans for their destruction in accordance with Article 3 of this Convention;
  - h. To the extent possible, the size and location of all cluster munition contaminated areas under its jurisdiction or control, to include as much detail as possible regarding the type and quantity of each type of cluster munition remnant in each such area and when they were used;
  - i. The status and progress of programmes for the clearance and destruction of all types and quantities of cluster munition remnants cleared and destroyed in accordance with Article 4 of this Convention, to include the size and location of the cluster munition contaminated area cleared and a breakdown of the quantity of each type of cluster munition remnant cleared and destroyed;
  - j. The measures taken to provide risk reduction education and, in particular, an immediate and effective warning to civilians living in cluster munition contaminated areas under its jurisdiction or control;
  - k. The status and progress of implementation of its obligations under Article 5 of this Convention to adequately provide age- and gender- sensitive assistance, including medical care, rehabilitation and psychological support, as well as provide for social and economic inclusion of cluster munition victims and to collect reliable relevant data with respect to cluster munition victims;
  - l. The name and contact details of the institutions mandated to provide information and to carry out the measures described in this paragraph;
  - m. The amount of national resources, including financial, material or in kind, allocated to the implementation of Articles 3, 4 and 5 of this Convention; and
  - n. The amounts, types and destinations of international cooperation and assistance provided under Article 6 of this Convention.
2. The information provided in accordance with paragraph 1 of this Article shall be updated by the States Parties annually, covering the previous calendar year, and reported to the Secretary-General of the United Nations not later than 30 April of each year.
  3. The Secretary-General of the United Nations shall transmit all such reports received to the States Parties.

## ARTICLE 8

### Facilitation and clarification of compliance

1. The States Parties agree to consult and cooperate with each other regarding the implementation of the provisions of this Convention and to work together in a spirit of cooperation to facilitate compliance by States Parties with their obligations under this Convention.
2. If one or more States Parties wish to clarify and seek to resolve questions relating to a matter of compliance with the provisions of this Convention by another State Party, it may submit, through the Secretary-General of the United Nations, a Request for Clarification of that matter to that State Party. Such a request shall be accompanied by all appropriate information. Each State Party shall refrain from unfounded Requests for Clarification, care being taken to avoid abuse. A State Party that receives a Request for Clarification shall provide, through the Secretary-General of the United Nations, within 28 days to the requesting State Party all information that would assist in clarifying the matter.
3. If the requesting State Party does not receive a response through the Secretary-General of the United Nations within that time period, or deems the response to the Request for Clarification to be unsatisfactory, it may submit the matter through the Secretary-General of the United Nations to the next Meeting of States Parties. The Secretary-General of the United Nations shall transmit the submission, accompanied by all appropriate information pertaining to the Request for Clarification, to all States Parties. All such information shall be presented to the requested State Party which shall have the right to respond.
4. Pending the convening of any Meeting of States Parties, any of the States Parties concerned may request the Secretary-General of the United Nations to exercise his or her good offices to facilitate the clarification requested.

5. Where a matter has been submitted to it pursuant to paragraph 3 of this Article, the Meeting of States Parties shall first determine whether to consider that matter further, taking into account all information submitted by the States Parties concerned. If it does so determine, the Meeting of States Parties may suggest to the States Parties concerned ways and means further to clarify or resolve the matter under consideration, including the initiation of appropriate procedures in conformity with international law. In circumstances where the issue at hand is determined to be due to circumstances beyond the control of the requested State Party, the Meeting of States Parties may recommend appropriate measures, including the use of cooperative measures referred to in Article 6 of this Convention.
6. In addition to the procedures provided for in paragraphs 2 to 5 of this Article, the Meeting of States Parties may decide to adopt such other general procedures or specific mechanisms for clarification of compliance, including facts, and resolution of instances of non-compliance with the provisions of this Convention as it deems appropriate.

## ARTICLE 9

### National implementation measures

Each State Party shall take all appropriate legal, administrative and other measures to implement this Convention, including the imposition of penal sanctions to prevent and suppress any activity prohibited to a State Party under this Convention undertaken by persons or on territory under its jurisdiction or control.

## ARTICLE 10

### Settlement of disputes

1. When a dispute arises between two or more States Parties relating to the interpretation or application of this Convention, the States Parties concerned shall consult together with a view to the expeditious settlement of the dispute by negotiation or by other peaceful means of their choice, including recourse to the Meeting of States Parties and referral to the International Court of Justice in conformity with the Statute of the Court.
2. The Meeting of States Parties may contribute to the settlement of the dispute by whatever means it deems appropriate, including offering its good offices, calling upon the States Parties concerned to start the settlement procedure of their choice and recommending a time-limit for any agreed procedure.

## ARTICLE 11

### Meetings of States Parties

1. The States Parties shall meet regularly in order to consider and, where necessary, take decisions in respect of any matter with regard to the application or implementation of this Convention, including:
  - a. The operation and status of this Convention;
  - b. Matters arising from the reports submitted under the provisions of this Convention;
  - c. International cooperation and assistance in accordance with Article 6 of this Convention;
  - d. The development of technologies to clear cluster munition remnants;
  - e. Submissions of States Parties under Articles 8 and 10 of this Convention; and
  - f. Submissions of States Parties as provided for in Articles 3 and 4 of this Convention.
2. The first Meeting of States Parties shall be convened by the Secretary-General of the United Nations within one year of entry into force of this Convention. The subsequent meetings shall be convened by the Secretary-General of the United Nations annually until the first Review Conference.
3. States not party to this Convention, as well as the United Nations, other relevant international organisations or institutions, regional organisations, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent

Societies and relevant non-governmental organisations may be invited to attend these meetings as observers in accordance with the agreed rules of procedure.

## ARTICLE 12

### Review Conferences

1. A Review Conference shall be convened by the Secretary-General of the United Nations five years after the entry into force of this Convention. Further Review Conferences shall be convened by the Secretary-General of the United Nations if so requested by one or more States Parties, provided that the interval between Review Conferences shall in no case be less than five years. All States Parties to this Convention shall be invited to each Review Conference.
2. The purpose of the Review Conference shall be:
  - a. To review the operation and status of this Convention;
  - b. To consider the need for and the interval between further Meetings of States Parties referred to in paragraph 2 of Article 11 of this Convention; and
  - c. To take decisions on submissions of States Parties as provided for in Articles 3 and 4 of this Convention.
3. States not party to this Convention, as well as the United Nations, other relevant international organisations or institutions, regional organisations, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and relevant non-governmental organisations may be invited to attend each Review Conference as observers in accordance with the agreed rules of procedure.

## ARTICLE 13

### Amendments

1. At any time after its entry into force any State Party may propose amendments to this Convention. Any proposal for an amendment shall be communicated to the Secretary-General of the United Nations, who shall circulate it to all States Parties and shall seek their views on whether an Amendment Conference should be convened to consider the proposal. If a majority of the States Parties notify the Secretary-General of the United Nations no later than 90 days after its circulation that they support further consideration of the proposal, the Secretary-General of the United Nations shall convene an Amendment Conference to which all States Parties shall be invited.
2. States not party to this Convention, as well as the United Nations, other relevant international organisations or institutions, regional organisations, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and relevant non-governmental organisations may be invited to attend each Amendment Conference as observers in accordance with the agreed rules of procedure.
3. The Amendment Conference shall be held immediately following a Meeting of States Parties or a Review Conference unless a majority of the States Parties request that it be held earlier.
4. Any amendment to this Convention shall be adopted by a majority of two-thirds of the States Parties present and voting at the Amendment Conference. The Depositary shall communicate any amendment so adopted to all States.
5. An amendment to this Convention shall enter into force for States Parties that have accepted the amendment on the date of deposit of acceptances by a majority of the States which were Parties at the date of adoption of the amendment. Thereafter it shall enter into force for any remaining State Party on the date of deposit of its instrument of acceptance.

## ARTICLE 14

### Costs and administrative tasks

1. The costs of the Meetings of States Parties, the Review Conferences and the Amendment Conferences shall be borne by the States Parties and States not party to this Convention participating therein, in accordance with the United Nations scale of assessment adjusted appropriately.
2. The costs incurred by the Secretary-General of the United Nations under Articles 7 and 8 of this Convention shall be borne by the States Parties in accordance with the United Nations scale of assessment adjusted appropriately.
3. The performance by the Secretary-General of the United Nations of administrative tasks assigned to him or her under this Convention is subject to an appropriate United Nations mandate.

## ARTICLE 15

### Signature

This Convention, done at Dublin on 30 May 2008, shall be open for signature at Oslo by all States on 3 December 2008 and thereafter at United Nations Headquarters in New York until its entry into force.

## ARTICLE 16

### Ratification, acceptance, approval or accession

1. This Convention is subject to ratification, acceptance or approval by the Signatories.
2. It shall be open for accession by any State that has not signed the Convention.
3. The instruments of ratification, acceptance, approval or accession shall be deposited with the Depository.

## ARTICLE 17

### Entry into force

1. This Convention shall enter into force on the first day of the sixth month after the month in which the thirtieth instrument of ratification, acceptance, approval or accession has been deposited.
2. For any State that deposits its instrument of ratification, acceptance, approval or accession after the date of the deposit of the thirtieth instrument of ratification, acceptance, approval or accession, this Convention shall enter into force on the first day of the sixth month after the date on which that State has deposited its instrument of ratification, acceptance, approval or accession.

## ARTICLE 18

### Provisional application

Any State may, at the time of its ratification, acceptance, approval or accession, declare that it will apply provisionally Article 1 of this Convention pending its entry into force for that State.



## ARTICLE 19

### Reservations

The Articles of this Convention shall not be subject to reservations.

## ARTICLE 20

### Duration and withdrawal

1. This Convention shall be of unlimited duration.
2. Each State Party shall, in exercising its national sovereignty, have the right to withdraw from this Convention. It shall give notice of such withdrawal to all other States Parties, to the Depositary and to the United Nations Security Council. Such instrument of withdrawal shall include a full explanation of the reasons motivating withdrawal.
3. Such withdrawal shall only take effect six months after the receipt of the instrument of withdrawal by the Depositary. If, however, on the expiry of that six-month period, the withdrawing State Party is engaged in an armed conflict, the withdrawal shall not take effect before the end of the armed conflict.

## ARTICLE 21

### Relations with States not Party to this Convention

1. Each State Party shall encourage States not party to this Convention to ratify, accept, approve or accede to this Convention, with the goal of attracting the adherence of all States to this Convention.
2. Each State Party shall notify the governments of all States not party to this Convention, referred to in paragraph 3 of this Article, of its obligations under this Convention, shall promote the norms it establishes and shall make its best efforts to discourage States not party to this Convention from using cluster munitions.
3. Notwithstanding the provisions of Article 1 of this Convention and in accordance with international law, States Parties, their military personnel or nationals, may engage in military cooperation and operations with States not party to this Convention that might engage in activities prohibited to a State Party.
4. Nothing in paragraph 3 of this Article shall authorise a State Party:
  - a. To develop, produce or otherwise acquire cluster munitions;
  - b. To itself stockpile or transfer cluster munitions;
  - c. To itself use cluster munitions; or
  - d. To expressly request the use of cluster munitions in cases where the choice of munitions used is within its exclusive control.

## ARTICLE 22

### Depositary

The Secretary-General of the United Nations is hereby designated as the Depositary of this Convention.

## ARTICLE 23

### Authentic texts

The Arabic, Chinese, English, French, Russian and Spanish texts of this Convention shall be equally authentic.

# CLUSTER MUNITION MONITOR 2020



*Cluster Munition Monitor 2020*, the 11th annual Cluster Munition Monitor edition, examines how states are working to implement and join the ban on cluster munitions, ensure clearance of cluster munitions remnants, provide risk education, and assist victims of these indiscriminate weapons. To mark the Second Review Conference of the 2008 Convention on Cluster Munitions, the report reviews developments over the past 10 years, up to September 2020 where possible. It covers global trends in ban policy, documents cluster munition contamination and casualties, as well as developments and challenges in addressing the impact of this weapon through clearance, risk education, and efforts to guarantee the rights and meet the needs of cluster munition victims. Profiles published online provide additional country-specific findings on these topics.

This report was prepared by Landmine and Cluster Munition Monitor, the civil society initiative providing research and monitoring for the International Campaign to Ban Landmines (ICBL) and the Cluster Munition Coalition (CMC).

**Cover:** A 70-year-old village woman found a cluster bomb submunition, known locally as a “bombie,” while digging to plant vegetables in her garden in Lao PDR. The country has the world’s highest level of contamination by unexploded submunitions as a result of the Indochina War during which more than two millions tons of bombs were dropped in 1964–1973. © Sean Sutton/MAG, February 2020

**Top left:** During what was the last in-person regional workshop before the COVID-19 outbreak,

representatives from the Caribbean Community, Canada, Switzerland, the convention’s implementation support unit, and the CMC, met in St. George’s, Grenada to discuss universalization efforts in the region. © ISU-CCM, March 2020

**Top right:** Wheelchair basketball game in Belgrade, Serbia, to commemorate the 10-year anniversary of the entry into force of the convention. © Assistance Advocacy Access Serbia (AAAS), August 2020

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