



LANDMINE & CLUSTER MUNITION MONITOR FACT SHEET



Prepared by Human Rights Watch

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Cluster Munitions and Explosive Submunitions Retained or Acquired for the Development of and Training in Detection, Clearance or Destruction Techniques, or for the Development of Counter-Measures

Article 3 of the Convention on Cluster Munitions permits 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. The convention stipulates that the amount of explosive submunitions retained or acquired shall not exceed the minimum number absolutely necessary for these purposes. States Parties retaining, acquiring, or transferring cluster munitions or explosive submunitions for permitted purposes are required to submit a detailed report on the planned and actual use of these cluster munitions and explosive submunitions and their type, quantity and lot numbers. This accounting is contained on Form C of the initial and annual transparency reports.

A total of 31 States Parties have submitted initial transparency reports and two signatory states have provided voluntarily provided reports as of June 9, 2011.

Information on Retention Declared in Transparency Reports

A total of 14 States Parties have declared possessing stockpiles of cluster munitions and explosive submunitions in territory under their jurisdiction and control: **Austria, Belgium, Croatia, Denmark, France, Germany, Japan, Moldova, Montenegro, Norway, Portugal, Slovenia, Spain**, and the **United Kingdom** (UK). This list includes those states that destroyed their stockpiles prior to entry into force of the convention. Of this group of 14 that possessed the weapon, it appears that six will retain cluster munitions and eight will not:

- **Belgium, France, Spain**, and the **UK** have declared the types and quantities retained (see chart below).
- **Denmark** and **Germany** have indicated their intent to retain but have not declared the types and quantities.
- **Croatia** and **Moldova** declared retaining only items rendered free from explosive for training; these items do not qualify as cluster munitions or submunitions under the definition in the Convention.
 - **Croatia** is planning to keep a total of 14 bombs (1,737 submunitions) for training and educational purposes, including some for the static display at the military museum. All cluster bombs will be disassembled and disarmed, with all explosive components removed during the stockpile destruction process.
 - **Moldova** retains 19 submunitions rendered free from explosives for instructional and display purposes.

- **Montenegro** and **Slovenia** indicated that they are not retaining any items.
- **Austria** and **Portugal** indicated on Form C of their transparency reports that it was “not applicable” and **Japan** indicated “none,” presumably meaning that they do not retain.
- **Norway** did not fill in Form C, but has elsewhere indicated that it has destroyed its entire stock of cluster munitions without retaining any.

States Parties **Albania, Burkina Faso, Holy See, Ireland, Lao PDR, Lithuania, Luxembourg, Malawi, Malta, Mexico, New Zealand, San Marino, Sierra Leone, Uruguay** and **Zambia** while not declaring possessing stockpiles, have confirmed in their transparency reports that they do not retain any cluster munitions or explosive submunitions.

Declared Policy on Retention

Some other States Parties that have not yet submitted an Article 7 report have expressed their views on retention. According to **Malawi**, the retention of cluster munitions for training and development “should be the exception and not the rule,” and those that do retain should only keep a “very limited number.” **Ecuador** has stated that the number of units retained for training should not be bigger than 1,000 and should decrease over time. **Ghana** expressed the view that states should retain only the minimum number of cluster munitions required for training purposes, which could be in the hundreds or thousands but not the tens of thousands.

Signatories Retaining

The Czech Republic has stated it will retain cluster munitions. Australia, which does not have a stockpile of cluster munitions, has stated that it does have a limited number of “predominantly inert” cluster munitions and submunitions retained for training purposes.

Signatories not Retaining

Some signatories that had stockpiles have indicated—either through statements at meetings like the First Meeting of States Parties in Vientiane, Lao PDR or by destroying their entire stock—that they will not retain any cluster munitions or submunitions, including **Afghanistan, Angola, Colombia, and Honduras**.

Types and Quantities Declared as Retained

The details of cluster munitions and explosive submunitions retained for purposes permitted under Article 3 of the Convention on Cluster Munitions include:

Types and Quantities of Cluster Munitions and Submunitions Retained

State	Quantity and type of cluster munitions (quantity of submunitions) retained	Quantity and type of individual submunitions retained	Total quantity of submunitions retained
Belgium	300 M483 projectiles (26,400) [24 consumed]	0	26,400 [24,328 remain]
France	3 OGR F1 projectiles (189) 10 M26 rockets (6,440) 1 EXPL 122mm rocket (98) 1 Orkan rocket warhead (288) 6 SAKR rocket warheads (588) 25 120mm OGR projectiles (500) 3 Rayé projectiles (60) 3 M26 rockets without DSA (1,932) 3 OGR projectiles (189)	14 OGR 28 KB-1/KB-2 16 9N22	10,342
Spain	366 MAT-120 projectiles (7,686) 331 ESPIN-21 projectiles (6,951) 7 BME-330 bombs (196) 7 CBU-100 bombs (1,729)	0	16,562
UK	1 CB-470 bomb (40) 2 Orkan rockets (576)	244 M42 96 M46	956

Reported Actual Uses of Retained Cluster Munitions or Explosive Submunitions

Several states reported using (consuming, destroying) cluster munitions and explosive submunitions during the period covered in their initial transparency reports:

- Belgium used 24 retained M483 projectiles (containing 2,112 submunitions) for explosive ordnance disposal training. It estimates that it will use 25 projectiles a year for training.
- Germany reports that 10 cluster munitions containing 958 submunitions were destroyed during explosive ordnance disposal training during reporting period.
- The UK reported the use of 12 M42 submunitions in the reporting period: eight in a student project and four on a “defeat of armour demonstration.”