International Cooperation and Assistance under the Convention on Cluster Munitions
April 2014

Some countries that have remained outside the Convention on Cluster Munitions have argued that joining the Convention would be too much of a financial burden, and that they would have difficulty meeting their legal obligations in a timely manner. Joining the Convention, however, will provide them with better access to financial, technical and material support to help them carry out their obligations in a timely and efficient manner.

The Convention on Cluster Munitions' Requirements

Article 6 of the Convention states that all States Parties "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." The article applies to the implementation of all obligations of the Convention, with a focus on the clearance of cluster munition remnants, assistance to cluster munition victims, and the destruction of stockpiled cluster munitions. Given the wide variety of support that can be given, including sharing of best practices, information, and expertise, **a large number of countries are in a position to assist other States Parties and therefore have a legal obligation to do so.**

In addition, States Parties that have previously used cluster munitions have a special responsibility to assist affected States Parties with clearance. Article 4(4) strongly encourages user states to provide assistance for clearance of submunitions they left before the Convention entered into force. This assistance includes information on types, quantities, and location of cluster munition remnants, all of which can facilitate clearance.

It is important to keep in mind that **the legal obligations under Article 6 only pertain to supporting other States Parties**. Under the 2010 Vientiane Action Plan, States Parties made additional political commitments related to providing prompt and sufficient assistance, but again, only for other States Parties. For example, Action #38 commits States Parties to "Promptly assist States Parties that have requested support for implementing their victim assistance, clearance, risk reduction education, and stockpile destruction obligations, respond to their national priorities in these areas, and strive to ensure continuity, predictability and sustainability of resource commitments."

States Parties also have a duty to promote universalization under Article 21 of the Convention, which in some cases is tied to the prospect of international assistance. For all these reasons, some States Parties to the Convention have noted their preference for supporting requests for assistance from nations that have joined the Convention. Australia, for example, stated at the 2013 intersessional meeting of the Convention that one of their key criteria in determining who to support was a state's ability "to demonstrate ownership and the national priority accorded to cluster munition action including through ratifying the Convention." [1] Other States Parties have noted their support is aimed at the implementation of obligations under the Convention on Cluster Munitions and other legal frameworks such as the Mine Ban Treaty, which only applies to States Parties of such conventions.[2]

[1] Statement of Australia on International Cooperation and Assistance to the 2013 Convention on Cluster Munitions Intersessional Meetings, http://www.clusterconvention.org/files/2013/04/Austalia.pdf.
[2] See, for example, Germany's statement on International Cooperation and Assistance at the 3MSP of the Convention on Cluster Munitions, http://www.clusterconvention.org/files/2012/09/german.pdf.

Of course, **international cooperation and assistance concerns much more than financial support**. States Parties, often affected states themselves, have been providing other States Parties with a variety of technical and material aid. Spain and Mexico, as coordinators of the Committee on International Cooperation and Assistance, documented some of the different types of support that have been given, including by cluster munition-affected States Parties Croatia and Lebanon.[3] By joining the Convention, countries will also become part of the community of actors that meets regularly to discuss how to make progress in Convention implementation in the most efficient and effective manner, allowing them to benefit more generally from the experience and expertise of other States Parties and engaged actors. At regular Convention meetings at the international or regional level, States Parties also have the opportunity to meet with donor states to present their requests for assistance, with NGO and other operators that may be able to channel funds and other support, and with other affected countries that might share similar technical, political or financial challenges.

The **Convention should be seen as an opportunity for affected countries** to get additional support for work that they may be doing anyway. Many affected countries outside the Convention are already undertaking cluster munition clearance and victim assistance to some extent, and are also destroying stockpiles that have reached the end of their shelf life. By joining the Convention, such activities will need to be carried out within certain time limits and/or according to specific standards. At the same time, as Norway stated during the 2012 intersessional meeting, no State Party implementing its Convention obligations and in need of support "will be left to shoulder all the burdens of doing so alone."[4] In addition, the benefits for fully and quickly implementing these positive obligations are abundantly clear, from allowing vast areas of land to be used again safely and enabling survivors to gain economic independence, to building confidence with neighboring states by destroying stocks.

Trends since the signing of the Convention on Cluster Munitions: *What can be known*

It is clear that **funding for cluster munition-related activities remains significant and is reaching the most heavily affected countries.** Yet it is not possible to provide a complete or accurate overview of all support, financial or otherwise, related to implementation of the Convention. While States Parties are required to report on support provided under Article 6 of the Convention, most States Parties do not report specifically on support for clearance or victim assistance related to cluster munitions because activities in the field are usually not divided by type of weapon. In addition, some financing for stockpile destruction may go through Defense Ministries that do not report on their support. Finally, the wide variety of non-financial support needs to be taken into account even if it is difficult to quantify.

With the information available through States Parties' Article 7 reports and specific questionnaires, the Cluster Munition Monitor compiled a partial accounting of funding that has gone to support cluster munition-related activities. From what can be known, **US$70.2 million was provided for cluster munition-specific activities in 2012**, up from a reported $60.4 million in 2011. Some of this difference can be attributed to changes in reporting, as more countries have provided a breakdown in funding by weapon type. Again, to get a full picture of assistance reaching cluster munitions-related activities one must also consider the total support – financial and otherwise – for mine action.

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[3] *From Words to Action: Catalogue of Best Practices on Cooperation and Assistance for the Convention on Cluster Munitions,* http://www.clusterconvention.org/files/2012/11/FROM-WORDS-TO-ACTION-COOP-and-Assistance-kopi.pdf.

[4] Norway's statement on International Cooperation and Assistance at the 2012 Convention on Cluster Munitions Intersessional Meetings, http://www.clusterconvention.org/files/2012/04/Coop-and-assist-Statement-Norway.pdf.

Lao PDR, the country most heavily affected by cluster munition remnants in the world, received US$41 million in financial contributions in 2012, up from US$12.7 million for mine action in 2008 when the Convention was adopted.[5] Lebanon, another heavily affected State Party, received US$16 million for mine action in 2012. These amounts include support for cluster munitions-related victim assistance, in addition to benefiting from broader support for persons with disabilities and other assistance channels. Both countries also benefited from the technical support of the UN, NGOs and other in-country experts on clearance and victim assistance.

Known Funding for Cluster Munition-Related Activities[6]

2011	**Millions US$**
Clearance	52.91
Advocacy	4.29
Victim Assistance	2.98
Stockpile Destruction	0.18
Total	**60.36**

2012	**Millions US$**
Clearance	66.6
Advocacy	2.04
Victim Assistance	1.56
Stockpile Destruction	
Total	**70.2**

Efficiency saves time and money

States that are concerned about the expense or time limits of Convention obligations should also **consider the time and cost savings of adopting efficient approaches to the tasks of clearance and stockpile destruction**. For example, decades of experience in clearing cluster munitions and landmines have shown that by properly investing in the identification of contaminated areas, clearance will proceed much faster and therefore be less expensive. A paper outlining such "land release" techniques was adopted by States Parties at the 3rd Meeting of States Parties last year, and is reinforced in a paper on the completion of Article 4 obligations presented to the 4th Meeting of States Parties in 2013. The practical application of these principles has already helped states like Lao PDR and Lebanon to increase their efficiency.

Low-cost and rapid methods have also been developed to help States Parties without an industrial stockpile destruction capacity to meet their Convention obligations in a timely manner. For example, Norwegian People's Aid (NPA) has established a special program for assisting States Parties with small stockpiles to design and implement local, low-cost cluster munition destruction programs. Such support, along with financial contributions from other States Parties, have already helped Moldova to finish and FYR Macedonia to begin to destroy their stocks.[7] At the same time, through destruction, states will achieve some savings as a result of reduced costs associated with storage and stockpile management, as well as from the recycling of metal and other materials after destruction.

Conclusion

Non-signatory states should not consider the positive obligations of the Convention to be a real barrier to joining. The mine action community benefits from a considerable amount of resources, both financial and technical – resources which will be more readily available once a country has joined the Convention. **States Parties to the Convention have a legal obligation to help those in need to meet their duties in a timely and efficient manner**, and countries like Lao PDR can point to clear results from joining. The broader community of

[5] The 2012 figure includes $11 million from Japan for equipment.
[6] *Cluster Munition Monitor 2012 Report*, Funding Support Overview, p. 64 and *Cluster Munition Monitor Report 2013*.
[7] See http://www.npaid.org/Our-work/Mine-Action/What-we-do/Destruction-of-munitions-stockpiles.

actors supporting the work of the Convention, including the UN, NGOs, the International Committee of the Red Cross and other stakeholders, have also made known the wide array of support they can give.

Ultimately, by joining the Convention, a country will put itself into a win-win situation. It will have access to additional resources to carry out work it may have already been doing. And it will improve the security of its people and all others by reinforcing the ban on cluster munitions.