



## What is the problem?

Cluster bombs kill and injure too many civilians both during attacks and after the conflict has ended. From Laos to Lebanon cluster bombs have posed a deadly and predictable threat in every conflict in which they have been used and have repeatedly caused excessive harm to civilians.

**During the attack:** Cluster bombs pose a deadly threat to civilians during attacks because they cover wide areas with explosives and shrapnel.

The area affected during a single attack can be up to the size of several football pitches. Within the affected area there can be no discrimination between soldiers and civilians.

When cluster bombs are used in or near populated areas – where almost all modern conflicts take place – excessive civilian casualties will almost always result.

**After the attack:** A large number of the smaller submunitions, or bomblets, dispersed from cluster munitions fail to explode as they are supposed to. As a result, huge quantities of the smaller explosive bomblets are left on the ground, and like landmines, they pose a lethal threat to civilians living and working in that area long after a conflict has ended.

Farmers working their land can cause bomblets to explode. Children are often attracted by the curious shape, colour and small size of the bomblets and have mistaken them for toys, killing and injuring themselves and others from picking them up or playing with them.

Simply stepping on a bomblet or picking it up can cause it to explode - resulting in death or severe injuries from shrapnel including loss of limbs and blindness.

Cluster bombs also prevent people from rebuilding their livelihoods.

The explosive contamination hampers post-conflict development, renders agricultural land inaccessible, or forces people to work in contaminated areas despite the risk because there is no other means for them to earn an income.

**How the Convention on Cluster Munitions addresses these problems:** The Convention on Cluster Munitions negotiated at the Dublin Diplomatic Conference in May 2008 makes cluster bombs illegal. The treaty will be open for signature on 3 December 2008 in Oslo and will enter into force after 30 countries have ratified it. It will then be illegal for those states that sign the treaty to use, produce, stockpile or transfer cluster bombs. Although some states are likely to remain outside the treaty, it is already increasing the strong stigma against these weapons and it is hoped and expected that no state – including those that have not been part of the Oslo Process – will ever use cluster munitions again.

The Convention on Cluster Munitions will make it obligatory for States that sign up to the Convention to clear contaminated land as soon as possible but within 10 years. It is only when land has been made free from unexploded cluster bombs that people can begin to rebuild their lives and livelihoods.



The Convention also has groundbreaking obligations on states to provide victim assistance and realize the rights of people directly impacted by cluster munitions as well as their families and affected communities. These obligations cover medical care, rehabilitation and psychological support and social and economic inclusion.

Cluster munitions have a wide and pervasive impact that reaches beyond the individual who is directly affected, so the definition of a "victim" is kept deliberately broad in the treaty to include the individual, family and community. This treaty recognizes, for example, that if the injured person is the bread-winner of the family and can no longer work, his or her entire family suffers.

The rights of survivors of cluster munitions had never been articulated before, but this treaty puts human rights top priority. This is a significant step forward in the approach to survivors of weapons. It means states not only have to provide services, such as physical rehabilitation and medical care, but must ensure that all measures are taken to address the human rights of survivors of cluster munitions. For example, the article outlines implementation measures, such as including survivors and their representative organizations in decision-making processes (right to inclusion/participation), integrating victim assistance into other appropriate national mechanisms to ensure efficacy, and ensuring that there is no discrimination against or among victims (right to non-discrimination).

States that possess cluster bombs must also destroy their stocks of the weapon as soon as possible and within 8 years. This is essential to ensure that cluster bombs will not proliferate around the world and will never be used again.