

**“Hot Topics” Q&A on cluster munitions –
Steve Goose session notes from Campaigners’ Forum, Saturday morning**

General note on lobbying for CCM universalisation: Instead of telling government what to do, it’s good to sell it to them as something they stand to gain.

CCM does not ban all cluster munitions.

- But it is a categorical ban, because it bans all weapons that have a wide-area effect and leave behind large amounts of UXO.
- Effect-based definition that completely bans these kinds of cluster munitions
- **Every cluster munition that has ever killed or injures a civilian has been banned**
- Only 2 types of cluster bombs have not been banned, and very small numbers of these exist and they have not been used
- MBT example – CCM is actually more comprehensive than MBT prohibition (MBT doesn’t ban Claymore mines)
- Perception issue rather than a loophole in the ban
- High-tech solutions have never been used – in theory, they should reduce the risk of civilian harm
 - All problems from the past have been resolved (according to manufacturers)
 - But hard to know for sure if they will function according to their design
 - Likely that only rich countries will have them
- 2 weapons systems that aren’t covered:
 - Smart 155 artillery system (France, Sweden, Germany produce. Australia has bought)
 - *Couldn’t think of other system*

CCM versus CCW draft protocol 6

- It’s encouraging that CCW is having discussion on the negative humanitarian effects of cluster munitions
 - But negative that they will attempt to create a competing Convention to the CCM
- Search to establish new international norm that applies to all countries
 - Numbers (of states) do matter

Don’t militaries need to develop alternatives before giving up cluster munitions?

- No, you don’t need to develop alternatives before giving up cluster munitions.
- The humanitarian costs of using cluster munitions outweigh any military utility.
- Potential use will alienate the civilian population rather than having a clear military benefit.

Alternatives: - unitary shells - guided military warheads

Article 21 – Interoperability: doesn’t this give way to assisting NSPs in their use of cluster munitions?

- Example of an article that’s politically motivated rather than motivated by humanitarian concerns
- Art. 21 has ambiguous language about obligations States Parties undertake when involved in joint operations with non-States Parties

- CMC argument is that the interpretation of Art. 21 to allow assistance is out of character with the rest of the CCM
- Very clear language earlier in CCM obliging states to discourage use by other actors
 - There is no such requirement in the MBT
 - Requirement for SPs in CCM to support universalisation

Donor fatigue

- CMC is hopeful that the CCM will expand donors' contributions to affected communities

Victim assistance

- Less than 5 % of mine action funding currently goes to victim assistance (think this might have been a comment from the floor – possibly from Firoz – rather than Steve Goose)