



Basing Policy Responses on Field Realities

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Field reality # 1:

Comparing the dud potential of cluster munitions with that of unitary munitions is misguided and misleading.

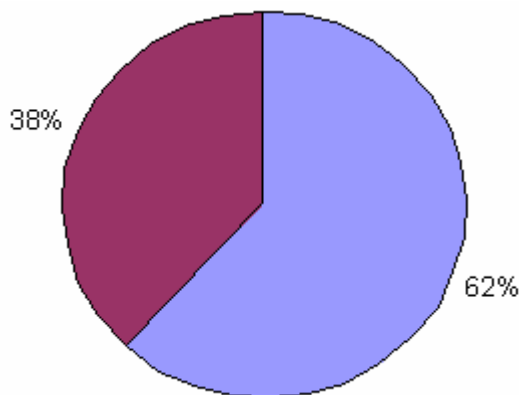
Munition type	No. dropped	Likely no. of unexploded items at a failure rate of 5%
Unitary bombs	500	25
CBU-87 cluster bomb	500 x 202 BLU-97	5,050

To produce the same level of post-conflict threat as the use of one single CBU/87, you have to use 202 unitary bombs.

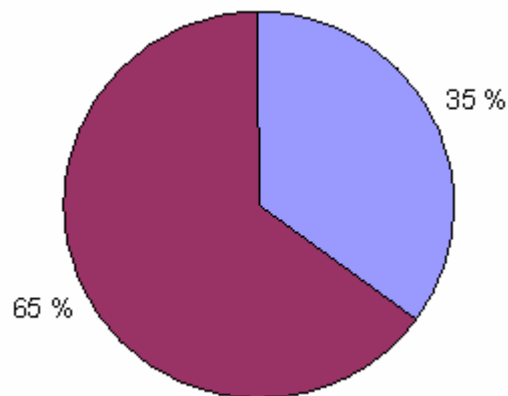


Submunition duds affect children disproportionately, compared to other UXO and mines.

Proportion of children and adults amongst cluster munition casualties in Central Vietnam 2000-2005



Proportion of children and adults amongst other munition casualties in Central Vietnam 2000-2005



■ Children (<19) ■ Adults (>18)



Submunitions with self-destruct mechanisms also leave behind unacceptably large numbers of duds.

- Equipping a submunition with a self-destruct mechanism does not make it "smart".
- Self-destruct mechanisms have many shortcomings.





Field reality # 4:

Failure rates in actual combat will always be higher than in tests.

Test results are nothing but the lowest possible failure rate achievable in controlled circumstances.



Field reality # 4 cont.:

- ⊕ When testing against hard ground, most bomblets detonate on impact, so the SD is never tested – and thus potential problems do not appear.
- ⊕ If the same bomblets were to fall in soft ground, many more would not detonate on impact. Then potential problems with the SD would appear and the number of duds will be higher.
- ⊕ In Norway a total of only 35 M85 SDs (out of more than 9300) were tested!
- ⊕ Of those SDs tested, 1 in 4 failed.



Field reality # 4 cont.:

- There are no indications that the failure rate for M85 in Southern Lebanon is close to what was observed during the Norwegian tests, where the average failure rate for this submunition was just above 1%.
- For the M85 as used in Southern Lebanon, a failure rate of **between 5% and 10%** seems likely. One can of course not exclude that the failure rate is higher or lower than this, but it is very difficult to find support for saying that the rate is as low as 1%.

The Norwegian Defence Research Establishment



It is not the failure rate that matters – it is the number of duds. Because of the large numbers of submunitions involved, the number of duds will always be too many.

- ⊕ UK forces used about 2,000 shells containing a total of appx. 100,000 M85 bomblets against Basra in Iraq, 2003.
- ⊕ IF the failure rate had been 1%, this would mean that at least 1,000 duds were left behind by this submunition type alone just in Basra.
- ⊕ This would still have been unacceptable.

Conclusions:

- ⊕ **Prohibiting only those cluster munitions not equipped with self-destruct mechanisms does not address the problem.**
- ⊕ **A prohibition based on quality (e.g. 1%) will not ensure protection of civilians and will be extremely difficult to monitor.**
- ⊕ **The future prohibition must be effective and possible to implement.**
- ⊕ **Policy responses must not be based on test results and claims of low failure rates, but on field realities.**