

**DIPLOMATIC CONFERENCE FOR  
THE ADOPTION OF A CONVENTION  
ON CLUSTER MUNITIONS**

CCM/33

19 May 2008  
Original: ENGLISH

---

DUBLIN 19 – 30 MAY 2008

**Proposal by the United Kingdom for the amendment of Article 4**

1. **After the cessation of active hostilities and as soon as feasible**, each State Party undertakes to clear and destroy, or ensure the clearance and destruction of cluster munition remnants **that pose a humanitarian threat** located in areas under its jurisdiction or control, and **shall complete such clearance no later than 10 years from the date of entry in to force of this Convention for that State Party.**

2. In fulfilling the obligations set out in paragraph 1, each State Party shall as soon as possible take the following measures, taking into consideration the provisions of Article 6 of this Convention regarding international cooperation and assistance:

- (a) Survey and assess the threat posed by cluster munition remnants;
- (b) Assess and prioritise needs and practicability in terms of marking, protection of civilians and clearance and destruction, take steps to mobilise resources and develop a national plan to carry out these activities;
- (c) Ensure to the maximum extent possible that all cluster munition remnants located in areas under its jurisdiction or control are perimeter-marked, monitored and protected by fencing or other means to ensure the effective exclusion of civilians. The marking shall at least be to the standards set out in the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, as amended on 3 May 1996, annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects;
- (d) **To the extent possible** clear and destroy **sub-munition remnants that pose a humanitarian threat** located in areas under its jurisdiction or control; and
- (e) Conduct risk education to ensure awareness among civilians living in or around areas in which cluster munition remnants are located of the risks posed by such remnants.

3. In conducting the above activities each State Party shall take into account international standards, including the International Mine Action Standards.

4. If a State Party believes that it will be unable to clear and destroy or ensure the clearance and destruction of all cluster munition remnants referred to in paragraph 1 of this Article within that time period it may submit a request to a Meeting of States Parties, or a Review Conference, for an extension of the deadline for completing the

clearance and destruction of such cluster munition remnants, for a period of up to **10** years.

5. A request for an extension shall be submitted to a Meeting of States Parties or a Review Conference prior to the expiry of the time period referred to in paragraph 1 of this Article for that State Party. Each request shall contain:

- (a) The duration of the proposed extension;
- (b) A detailed explanation of the reasons for the proposed extension, including:
  - i) The preparation and status of work conducted under national clearance and demining programmes;
  - ii) The financial and technical means available to, and required by, the State Party for the clearance and destruction of all cluster munition remnants; and
  - iii) Circumstances which impede the ability of the State Party to destroy all cluster munition remnants located in areas under its jurisdiction or control;
- (c) The humanitarian, social, economic, and environmental implications of the extension; and
- (d) Any other information relevant to the request for the proposed extension.

6. The Meeting of the States Parties or the Review Conference shall, taking into consideration the factors contained in paragraph 6 of this Article, assess the request and decide by a majority of votes of States Parties present and voting whether to grant the request for an extension period.

7. Such an extension may be renewed upon the submission and assessment of a new request in accordance with paragraphs **4, 5 and 6** of this Article. In requesting a further extension period a State Party shall submit relevant additional information on what has been undertaken in the previous extension period pursuant to this Article.