

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

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Proposal by Germany for the amendment of Article 18

1. Any State may at the time of its ratification, acceptance, approval or accession declare that, while implementing the prohibitions on cluster munitions prohibited under Article 1, it will continue to use no more than [x] types of cluster munitions for a limited period of time not exceeding [y] years from the entry into force of this Convention; such munitions must be reliable and accurate as defined in Article 2, and they must be equipped with a self-destruct, self-neutralization or self-deactivation system.
2. Any use of cluster munitions pursuant to Paragraph 1 shall be in compliance with the provisions of International Humanitarian Law. In particular, it is prohibited in all circumstances to make the civilian population as such, individual civilians or civilian objects the object of attack by cluster munitions.
3. During the transition period pursuant to Paragraph 1, the State Party concerned shall not, under any circumstances, transfer to anyone, directly or indirectly, any cluster munitions.
4. The provisions under Paragraph 1 are subject to the following transparency measures by the State Party concerned:
 - (a) The declaration under Paragraph 1 shall be notified to the Secretary General of the United Nations at the time of ratification, acceptance, approval or accession by the State Party concerned. It shall include details of the type of cluster munitions including on its reliability and accuracy as well as its self-destruct/self-neutralisation/self-deactivation features, the quantity, the deadline for removal from service, the beginning of the phasing out of operational stocks and the completion of the destruction process.
 - (b) The provisions on Transparency Measures under Article 7, including on annual reporting, shall also apply to the issues contained in the declaration under Paragraphs 1 and 4 (a) of this Article.