

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

CCM/50

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Proposal by Switzerland for additional text

New Article
Transition period

(a) At the time of its notification of consent to be bound by this treaty, a High Contracting Party may opt for a transition period not exceeding [X] years to progressively replace the munitions described under Article 2 of this treaty but that are equipped with a self-destruct, self-neutralization or self-deactivation system, by another type of weapon/munitions in conformity with this treaty and the principles of international humanitarian law.

(b) Transition periods are not allowed for munitions described under Article 2 of this treaty which are not equipped with a self-destruct, self-neutralization or self-deactivation system.

(c) During this transition period, the High Contracting Party shall not, under any circumstances, transfer to anyone, directly or indirectly, those prohibited munitions mentioned in paragraph (a).

(d) During this transition period, the High Contracting Party is allowed for training purposes, as last resort or in the case of self-defence to use those prohibited munitions mentioned in paragraph (a) if those have not been replaced yet and in conformity with the principles of international humanitarian law.

Note: a further provision prohibiting the use of the munitions mentioned in paragraph (a) against military objectives located in or near populated areas could be added. In this respect, inspiration could be drawn from Protocol III to the CCW on the Use of Incendiary Weapons.