

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

CCM/69

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**Proposal by Morocco, supported by Senegal and Mauritania, for the amendment of the Proposal by Germany, supported by Denmark, France, Italy, Slovakia, Spain, the Czech Republic and the United Kingdom for the amendment of Article 1**

1. Each State Party undertakes never under any circumstances to:
  - (a) Use cluster munitions;
  - (b) Develop, produce, otherwise acquire, stockpile, retain or transfer to anyone, directly or indirectly, cluster munitions;
  - (c) Assist, encourage or induce anyone to engage in any activity prohibited to a State Party under this Convention. This provision does not preclude the mere participation in the planning or the execution of operations, exercises or other military activities by the Armed Forces or by an individual national of a State Party to this Convention, conducted in combination with Armed Forces of States not Parties to this Convention which engage in activity prohibited under this Convention,<sup>1</sup> **provided that the States not party explain to the States Parties participating in the planning or the execution of operations, the military necessity for engaging in such activities and taking into account the humanitarian concerns addressed by the Convention. The States Parties shall refrain from engaging in activities prohibited under this Convention in any joint military operations with States not parties.**

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<sup>1</sup> For the German proposal for the amendment of Article 1 see CCM13.