

DIPLOMATIC CONFERENCE FOR THE ADOPTION OF A CONVENTION ON CLUSTER MUNITIONS

CCM/6

19 May 2008
Original: ENGLISH

DUBLIN 19 – 30 MAY 2008

Proposal by the United Kingdom for the amendment of the Preamble

The States Parties,

Deeply concerned that civilian populations and individual civilians continue to suffer ~~most~~ from armed conflict,

Determined to put an end for all time to the suffering and casualties caused by the use of **those** cluster munitions that kill or maim innocent and defenceless civilians and especially children, obstruct economic development and reconstruction, delay or prevent the return of refugees and internally displaced persons, and have other severe humanitarian consequences that can persist for many years after use,

Concerned that cluster munition remnants **might impact negatively on** international efforts to build peace and security, as well as implementation of human rights and fundamental freedoms,

Concerned also that large stockpiles of prohibited cluster munitions earmarked for destruction are stored carefully and destroyed in a timely manner to prevent them from causing humanitarian suffering,

Believing it necessary ~~to do their utmost~~ to contribute in an efficient and coordinated manner to resolving the challenge of removing cluster munition remnants ~~located throughout the world,~~ and to ensure their destruction,

Deeply concerned ~~also at the dangers presented by the large stockpiles of cluster munitions retained for operational use in national inventories, and determined to ensure the speedy destruction of these stockpiles,~~

Determined to ensure the full realisation of the rights of victims of cluster munitions, and recognising their inherent dignity,

Resolved ~~to do their utmost in~~ providing assistance for the medical care and rehabilitation, psychological support and social and economic inclusion of victims of cluster munitions,

Bearing in mind the Convention on the Rights of Persons with Disabilities which, inter-alia, requires that States Parties to that Convention undertake to ensure and promote the full realisation of all human rights and fundamental freedoms of all persons with disabilities without discrimination of any kind on the basis of disability,

~~*Mindful* of the need adequately to coordinate efforts undertaken in various fora to address the rights and needs of victims of various types of weapons, and resolved to avoid discrimination among victims of various types of weapons,~~

Welcoming the **broad international** support for the international norm prohibiting the use of anti-personnel mines enshrined in the 1997 Convention on the Prohibition of the Use of Stockpiling, Production and Transfer of Anti-personnel mines and on their Destruction,

Welcoming also the entry into force on 12 November 2006 of the Protocol on Explosive Remnants of War, annexed to the Convention on Prohibitions, Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects, and wishing to enhance the protection of civilians from the effects of cluster munition remnants in post-conflict environments.

Welcoming furthermore the steps taken in recent years, both unilaterally and multilaterally aimed at prohibiting, restricting or suspending the use, stockpiling, production and transfer of **certain** cluster munitions,

Stressing the role of public conscience in furthering the principles of humanity as evidenced by the ~~global~~ call for an end to civilian suffering caused by cluster munitions and recognising the efforts to that end undertaken by the United Nations, the International Committee of the Red Cross, the cluster munition coalition and numerous other non-governmental organisations around the world,

Reaffirming the declaration of the Oslo Conference on cluster munitions, by which States inter-alia committed themselves to conclude by 2008 a legally binding instrument that would prohibit the use, production, transfer and stockpiling of cluster munitions that cause unacceptable harm to civilians, and to establish a framework for cooperation and assistance that ensures adequate provision of care and rehabilitation to survivors ~~and their communities~~, clearance of contaminated areas, risk education and destruction of stockpiles,

Guided by the principle of international humanitarian law that the right of parties to an armed conflict to choose methods or means of warfare is not unlimited, and in particular on the general rule that parties to a conflict must at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly direct their operations against the military objectives only,

HAVE AGREED as follows: