

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

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## SUMMARY RECORD OF TWELFTH SESSION OF THE COMMITTEE OF THE WHOLE

Held at Croke Park, Dublin on Tuesday, 27 May 2008

Chair: President O'CEALLAIGH

The meeting was called to order at 10.36 am.

The President presented the revised text of the President's Non-Paper on Article 1. No changes were made to paragraph 1. This paragraph was relevant to interoperability and was still subject to an ongoing separate discussion. A new paragraph 2 had been added to address the discrepancy of bomblets dispersed by dispensers affixed to aircraft that are not in fact submunitions as they do not come from a larger munition. Additional definitions had been added as a result of consultations carried out by Lieutenant Colonel Burke on the meaning of "dispenser", "explosive bomblet" and "unexploded explosive munitions" or "unexploded bomblet". The definition of "cluster munition remnants" will be amended to include "unexploded bomblets". Paragraph 3 had been amended in response to an objection to the reference to mines being framed by the Convention on Certain Conventional Weapons. The paragraph now refers to mines and the definition of mine is identical to that of the Anti-Personnel Mine Ban Convention. The President hoped that the proposed changes would command broad support and invited comments on the Non-Paper.

The **United Kingdom** did not see the added value of new paragraph 2 and stated that the inclusion of bomblets and dispensers seemed to confuse the issue. **Spain** agreed with the position of the United Kingdom.

**Mali** stated that the inclusion of provisions on interoperability was not legitimate.

The President stated that he did not propose to deal with interoperability in this discussion. He would ask members of his own team to carry out consultations with the United Kingdom and with Spain.

The President reported that, regarding Article 6, Canada had been asked to undertake consultations. The finalisation of this Article would have to await the conclusion of work on Article 4, given that paragraph 4 of Article 6 refers to Article 4.

On Article 2 and definitions, a revised text would be circulated to delegates later in the day.

On the Preamble, the President announced that Ambassador Millar would be in a position to circulate a revised text of the Preamble later this morning.

The meeting rose at 10.43 a.m.