

Intersessional meeting on the Convention on Cluster Munition
Statement of the Czech Republic on development and adoption of national legislation
on 18 April 2012

Thank you, Mr. Chairmen

Let me provide you with a brief update on development and adoption of national legislation in order to implement all obligations under the Convention on Cluster Munition.

As we indicated in our first statement on Monday, the Czech Republic's constitution system required the adoption of a special law in order to impose the obligations resulting from the CCM on natural and legal entities.

Such law on the Prohibition of the Use, Development, Production, and Transfer of Cluster Munitions and their Destruction was prepared and adopted already in 2010. As soon as it was adopted the ratification approval request was introduced in Parliament. The Senate gave its consent to ratify by Resolution 149 on 16 March 2011, followed by the Chamber of Deputies on 29 April 2011 by Resolution 462. Finally the President of the Czech Republic ratified the CCM on 8 July 2011.

Only when above given domestic steps were accomplished, in accordance with the Czech legal system, the Convention on Cluster Munitions became a part of the legal order of the Czech Republic and become precedence to laws and regulations of the Czech Republic.

The ratification process was accomplished on 22 September 2011 when the Czech Republic deposited the instrument of ratification with the UN during the Annual UN Treaty Event.

The Law No. 213 includes the prohibitions contained in the Convention on Cluster Munitions and applies to both individuals and corporations. It does not include penal sanctions for violations because provisions of the general Criminal Code of the Czech Republic apply instead. Under this Code on "Development, production, and possession of prohibited means of combat" it is crime "to develop, produce, import, export, store, or accumulate weapons or means of combat prohibited by law or international treaty, or to dispose of these weapons or means of combat in any way. Penal sanctions for violations related to prohibited weapons include imprisonment between one and five years. The law includes financial sanctions for violations by corporations of fines of a maximum of CZK 50 million.

Thank you for your attention

Thank you Mr. Chairman