

## **Convention on Cluster Munitions (CCM) Intersessional Meeting**

### **NATIONAL IMPLEMENTATION MEASURES**

#### **Statement of Australia**

**16 April 2013**

Thank you Mr Chair

We wish to thank New Zealand for its preparations for this session on national implementation measures and for its consistent work in this regard.

Australia is pleased to announce that Australia became a State Party to the Convention on Cluster Munitions on 1 April 2013. The Australian Ministers for Foreign Affairs, for Defence and the Attorney-General publicly announced that the Convention had entered into force for Australia, highlighting the importance the Australian Government places on the Convention.

Australia's new status as a State Party is the culmination of many years of commitment and hard work by Australia, going back to our active involvement in the Oslo process, and having been one of the first countries to sign the Convention in 2008.

In Australia, the Convention is given effect under domestic legislation by the *Criminal Code Amendment (Cluster Munitions Prohibition) Act 2012*, which also commenced on 1 April.

This legislation faithfully and fully implements the Convention – making it an offence in Australia, to use, develop, produce, acquire, stockpile, retain or transfer cluster munitions. The legislation reflects Australia's serious approach to cluster munitions. Tough penalties now apply to activities which violate the Convention's obligations, with substantial fines for individuals and organisations, and up to 10 years imprisonment.

For Australia, implementation of the Convention will be relatively straightforward, as we do not have, and has never had, operational stockpiles of cluster munitions. We will not, therefore, need to undertake a process of stockpile destruction.

The obligations and limitations under the Convention and the *Cluster Munitions Prohibition Act* are fully reflected in Australian Defence Force (ADF) doctrine, procedures, rules and directives. As permitted under Article 3(6) of the Convention, the ADF possesses a limited number of live cluster munitions for the development of, and training in, cluster munition detection, clearance and destruction techniques, as well as the development of counter-measures.

In accordance with our obligations under the Convention, Australia is now working toward preparation of its initial transparency report.

Thank you for your attention.