



# The Convention on Cluster Munitions: Interpretation of Key Provisions

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We must remember the purpose of this Convention:



**A comprehensive ban on cluster munitions that puts an end to  
the suffering they cause**

How can we achieve a comprehensive and categorical ban?



**No assistance**

**No transit**

**No investment**

**No retention**

**No foreign stockpiling**



## Ban all assistance in all circumstances



**Article 1** prohibits States Parties under any circumstances from assisting, encouraging, or inducing anyone to engage in any activity prohibited under the convention.

**Article 21** requires that States Parties:

- promote the norms the convention establishes
- encourage states not party to join
- discourage states not party from using cluster munitions
- notify states not party of their obligations during joint operations

## Transfer = transit



**Article 1 & Article 2** = no transit of cluster munitions through national territories of states parties

**States Parties should** issue declarative statements indicating that transit is banned, and should include such a prohibition in national legislation to implement the convention.

## Ban investment



**Article 1** = no investment in the development or production of cluster munitions by foreign companies

**States Parties should** make declarative statements indicating that investment is banned, and should include such a prohibition in national legislation to implement the convention



## Ban foreign stockpiling



**Article 3** = foreign stocks under the “jurisdiction and control” of State Parties must be destroyed

**States Parties should** make declarative statements indicating that foreign stockpiling is banned, and should include such a prohibition in national legislation to implement the convention.

## Ban retention



Live cluster munitions and sub-munitions **are not required** for development of and training in detection, clearance techniques, or counter-measures.



## Common understandings and practices



**States Parties should** seek to establish **common understandings** and uniform state practises regarding provisions that may be open to varying interpretation and implementation and **state your positions publically**.