



PARLIAMENTARY FORUM
ON SMALL ARMS AND LIGHT WEAPONS

Policy Statement on the Convention on Cluster Munitions

Adopted by the Board of Parliamentary Forum on Small Arms and Light Weapons, Board meeting in Geneva, Switzerland, 20th of October, 2015

The growing international critique against cluster munitions is directed towards the great threat and human suffering it imposes on civilians. Cluster munitions and sub munitions are both an issue in conflict and post-conflict situations. The Board of Parliamentary Forum first took action and started to engage for a complete ban of these weapons in 2007, as a result a policy statement was adopted. In April 2010, a second policy statement was adopted on the investment in Cluster Munitions. This was a result of the recent developments on the issue and the campaign *Stop Explosive Investments* launched by the Cluster Muniton Coalition.¹

The Convention on Cluster Munitions (CCM) was adopted in 2008 and entered into force in 2010. The CCM prohibits the use, production, stockpiling, and transfer of cluster munitions and sets the framework towards victim assistance programs and clearance of contaminated land. Today, as of October 2015, 118 countries have joined the convention, of which 98 are States Parties.

This third policy statement aims to revisit the issue of the CCM five years after its entry into force to highlight the achievement made and address the challenges that remain. A cluster

¹ "Policy Statement on Investments in Cluster Muniton" (2010) Parliamentary Forum (SALW)



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munition is a weapon containing dozens or hundreds of sub munitions that are dispersed when the canister opens up in mid-air. They are indiscriminate in two ways: at the time of use, sub munitions scatter across a large area; long after use, unexploded sub munitions remain on the ground, ready to explode on the contact of any person. The most recent statistics show that 92% of recorded cluster munitions victims are civilians.² In the victim statistics, children are overrepresented because they are attracted to the sub-munitions often resembling to toys due to their round shape or being colorful.³ The CCM is an instrument of international humanitarian law and serves as a tool for implementing a universal norm in the political arena concerning cluster munitions.

Today, in 2015, all of the seventeen State Parties that produced cluster munitions have ceased its production, as well as one non-signatory. Eight State Parties have completed the clearance of contaminated areas (Albania, Republic of Congo, Grenada, Guinea-Bissau, Malta, Mauritania, Norway and Zambia), as well as one signatory (Uganda) and one non-signatory (Thailand.) In terms of demilitarization, the State Parties have together destroyed a total of 1.3 million cluster munitions containing over 160 million sub-munitions.⁴ The progresses clearly show a universal norm setting its roots into the political sphere and an international cooperation towards a simultaneous demilitarization of cluster munitions. The statistics show that positive improvements are occurring and that we are closer to reaching the goal of the CCM.

² "Cluster Munition Monitor Report 2015", International Campaign to Ban Landmines - Cluster Munition Coalition

³ "Circle of Impact: The Fatal Footprint of Cluster Munitions on People and Communities" (2007) Handicap International

⁴ "Statement on Stockpile Destruction First Review Conference of the Convention on Cluster Munitions Dubrovnik, September 2015", Cluster Munition Coalition



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Despite the positive news, the latest *Cluster Munition Monitor Report 2015* has revealed that in 2014-2015 cluster munitions have been used in Libya, Syria, Sudan, Ukraine and Yemen. According to Human Rights Watch, the use of cluster munitions has increased in the Syrian

Civil war and the government has been using these weapons directly towards their own civilians. State Parties have responded by condemning these actions and urging the Syrian government to immediately cease the attack on their own civilians. According to the Human Rights Watch report, cluster munitions have been used in 224 locations in Syria between July 2012 and March 2014. It has been documented that six different types of cluster munitions were used during these attacks.⁵ The United Nations states that it is vital for cluster munition victims to obtain the appropriate treatment assistance based on age and gender.⁶

Regarding CCM, it has been identified that the framework on victim assistance and victim assistance programs has room for improvements. Due to the recent developments in Syria and systematical human rights violations, The Parliamentary Forum wishes to highlight the importance of implementing adequate legislations concerning victim assistance programs and clear guidelines on how to establish a budget regarding these programs.

It has been noted that signatory and ratifying states have taken some necessary steps to live up to the CCM in terms of victim assistance. However, the *Cluster Munition Monitor Report 2015* raises the issue about a frequent shortage of funding concerning victim assistance pro-

⁵ “Technical Briefing Note: Use of Cluster Munitions in Syria” (2014) Human Rights Watch

⁶ “The right of persons with disabilities to participate in decision-making - Call for submissions” OHCHR



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grams. The Forum urges parliamentarians to highlight this issue to their respective governments and have it set on the agenda. It is vital that the appropriate budget and funding are available in order to protect the human rights of the affected civilians.⁷ Individuals with disabilities are systematically being discriminated and stigmatized both in society and in the political sphere. Therefore, it is imperative for parliamentarians to raise this issue about the implementation of adequate legislation concerning the inclusion of cluster munition victims with their respective governments.

The Parliamentary Forum wishes to highlight the importance of the role parliamentarians play in the success of the CCM. Parliamentarians have the capacity to influence their colleagues, to advance their respective governments towards adopting and reforming legislations concerning cluster munitions. Their tasks involve; legislative measures, parliamentary oversight of the government and raising awareness at both national, regional and international levels – an often underestimated method.

Parliamentarians have the ability to stimulate public debate, request governments to report on a regular basis on the progress of the implementation of the CCM and encourage other countries to join the convention. Their capacity to connect governmental officials with the civil society is a powerful tool towards ensuring the success of the CCM and progress towards transparency. In order to do so parliamentarians need support from international development stakeholders; to increase capacity and resources to work effectively.

⁷ “Cluster Munition Monitor 2015” (2015) Report by Landmine and Cluster Munition Monitor



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Due to recent events in Syria and the findings of the *Cluster Munition Monitor Report 2015*, the Parliamentary Forum wants to confirm its support to the CCM ban of cluster munitions and stresses the importance of investing in victim assistance programs.

The Parliamentary Forum supports the CCM and highlights that in order for the convention to be successful it is important to foster a well-functioning international and national collaboration between governments, parliamentarians, donor organizations and civil society. In this process, transparency is crucial. Transparency allows the involvement of all the actors at different levels and the sharing of expertise on different issues.

The Parliamentary Forum emphasizes the recognition of the importance of parliamentarians regarding the success of the CCM and calls on international stakeholders to extend them their help if needed in order to empower their legislative influence at the governmental level. Transparency and collaboration with all the parties are key factors to ensure the success of the CCM.

Objectives

The Board of the Parliamentary Forum of Small Arms and Light Weapons, meeting in Geneva, Switzerland, 20th of October, 2015:

Acknowledges that 92% of recorded cluster munition victims are civilians;

Recognizes and *Reiterates* its support to the Convention on Cluster Munitions (CCM) and calls on states to join the convention;



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Reaffirms that parliamentarians must strengthen the legislative framework to implement the convention through national legislation;

Supports an increase in the development of legal frameworks as well as budget planning regarding victim assistance;

Reaffirms its commitment to the humanitarian objectives of the Convention on Cluster Munitions and calls for a full and immediate implementation of state obligations under the instrument;

Urges parliamentarians to raise awareness at the local, national and international levels about the high human suffering cluster munitions and submunitions have on the community and individual;

Recognizes the key role of parliamentarians regarding their ability to advance the issue of victim assistance up on the political agenda;

Mandates the secretariat to continue following the progress of the CCM and assist its members in their awareness raising and legislative work to implement and achieve the goals of CCM.