Cluster munitions

Cluster munitions (or cluster bombs) are weapons that consist of one carrier container filled with separate bomblets. A cluster bomb can contain anywhere from nine to several hundred bomblets. When dropped, the bomb is designed to open mid-air and distribute the bomblets so that they, on impact, will explode and affect an area that can be as wide as several football fields.

Cluster bombs are neither accurate nor reliable. Bomblets often malfunction, and fail to explode on impact. Instead, they lay in wait—like a landmine, but even more volatile—until some unsuspecting person, frequently, a child, disturbs it. Unexploded cluster munitions continue to kill for decades after conflicts are over. 98 percent of their victims are civilians.

Efforts to ban cluster munitions

The obligation of governments to protect civilians during conflict has proven hard to fulfill when it comes to weapons which cannot separate civilians from military targets, or which cause excessive humanitarian harm. After countries signed a treaty banning antipersonnel landmines in 1997, the general opinion was that the same should be done with cluster bombs. A group of supportive governments negotiated and managed to arrive at a formal adoption of an international treaty prohibiting cluster munitions.

The Convention on Cluster Munitions (CCM) prohibits all use, stockpiling, production, and transfer of cluster munitions. Separate articles within the Convention concern assistance to victims, clearance of contaminated areas, and destruction of stockpiles. The CCM was signed by 94 states when it opened for signature in Oslo, Norway on 3 December 2008. Since the Convention has entered into force on 1 August 2010, it is no longer open for signatures and states can no longer sign and then ratify the treaty. States must now become bound through accession, which has the same effect as ratification. States that already signed the Convention must still ratify it in order to become a State Party bound by the Convention’s provisions. So far, 111 countries have joined the Convention and 75 are States Parties.

The first two meetings of States Parties took place in Vientiane in 2010, and in Beirut in 2011. The third meeting took place in Oslo in September 2012. Future States Parties will accede to the Convention by submitting their ratifications to the United Nations headquarters in New York.

Some countries are opposed to the CCM because it was negotiated outside of normal UN channels. Some of the major cluster munition producers, exporters, and users, such as the United States, Russia, China, and Israel, are not yet party to the Convention. They have tried to instigate negotiations of a weaker treaty through the forum provided for the Convention on Certain Conventional Weapons (CCW) in Geneva. However, in November 2011, the CCW Review Conference ended “with a resounding rejection of a US-back proposal for a Protocol that would allow continued cluster munition use.” The Conference also did not adopt a mandate for any further work on cluster munitions.