

**Entry into force on 1 August 2010 of the Convention on Cluster Munitions (CCM) and the role of the EU**

**European Parliament resolution of 8 July 2010 on the entry into force of the Convention on Cluster Munitions (CCM) and the role of the EU**

*The European Parliament,*

- having regard to the Convention on Cluster Munitions (CCM) adopted by 107 countries at the diplomatic conference held in Dublin from 19 to 30 May 2008,
  - having regard to the message of 30 May 2008 from the United Nations Secretary-General encouraging ‘States to sign and ratify this important agreement without delay’ and stating that he looked forward ‘to its rapid entry into force’,
  - having regard to its resolution of 20 November 2008 on the Convention on cluster munitions<sup>1</sup>,
  - having regard to its resolution of 10 March 2010 on the Implementation of the European Security Strategy and the Common Security and Defence Policy<sup>2</sup>,
  - having regard to Rule 110(4) of its Rules of Procedure,
- A. whereas the CCM has been open for signature since 3 December 2008, first in Oslo and subsequently at the United Nations in New York, and will enter into force on the first day of the sixth month after the thirtieth ratification, namely 1 August 2010,
- B. whereas the CCM defines cluster munitions as munitions designed to disperse or release explosive submunitions, each weighing less than 20 kilograms, and includes those explosive submunitions,
- C. whereas the CCM will prohibit the use, production, stockpiling and transfer of cluster munitions as a category of weapons,
- D. whereas the CCM will require States Parties to destroy stockpiles of such munitions,
- E. whereas the CCM will establish a new humanitarian standard for the assistance of victims and will require the States concerned to clear unexploded cluster munition remnants that are left behind after conflicts,
- F. whereas cluster munitions pose serious risks to civilians when used around populated areas, owing to their typically large lethal footprint, and whereas in post-conflict settings the use of these munitions has caused many tragic injuries to and deaths of civilians, as unexploded submunitions left behind are often found by children and other unsuspecting innocents,
- G. whereas to date 20 EU Member States have signed, 11 have ratified, and seven have neither

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<sup>1</sup> OJ C 16 E, 22.1.2010, p. 61.

<sup>2</sup> Texts adopted, P7\_TA(2010)0061.

signed nor ratified the CCM,

- H. whereas, following the entry into force of the CCM on 1 August 2010, the process of acceding to the convention will become more demanding, because States will need to accede to the Convention in a one-step process,
  - I. whereas the support of most EU Member States, inter-parliamentary initiatives and a huge number of civil society organisations has been decisive in the successful conclusion of the 'Oslo Process' resulting in the CCM,
  - J. whereas the signing and ratification of the CCM by all 27 EU Member States prior to its entry into force on 1 August 2010 would be a strong political signal in support of a world without cluster munitions and the EU's objectives with regard to the fight against the proliferation of weapons that kill indiscriminately,
1. Welcomes the forthcoming entry into force of the Convention on Cluster Munitions (CCM) on 1 August 2010;
  2. Calls on all EU Member States and candidate countries to sign and ratify the CCM as a matter of urgency before the end of 2010, including the non-signatory States Estonia, Finland, Greece, Latvia, Poland, Romania, Slovakia and Turkey and the States that have signed but not yet ratified the Convention, namely Bulgaria, Cyprus, the Czech Republic, Hungary, Italy, Lithuania, the Netherlands, Portugal and Sweden;
  3. Commends all States that have signed and ratified the CCM and have also adopted moratoriums on the use, production and transfer of cluster munitions and completed the destruction of their stockpiles of such munitions;
  4. Urges all EU Member States that have signed the CCM to take every opportunity to encourage States not party to the CCM to sign and ratify or accede to the Convention as soon as possible, including through bilateral meetings, military-to-military dialogue and multilateral fora, and, in accordance with their obligations under Article 21 of the CCM, to make their best efforts to discourage States not party to the Convention from using cluster munitions;
  5. Calls on EU Member States not to take any action that might circumvent or jeopardise the CCM and its provisions; calls, in particular, on all EU Member States not to adopt, endorse or subsequently ratify any Convention on Conventional Weapons (CCW) protocol allowing for the use of cluster munitions which would not be compatible with the prohibition of such munitions under Articles 1 and 2 of the CCM; calls on the Council and EU Member States to act accordingly at the next CCW meeting from 30 August to 3 September 2010 in Geneva;
  6. Urges EU Member States that are not yet party to the CCM to take interim steps pending accession, including adoption of a moratorium on the use, production and transfer of cluster munitions and making a start on destroying cluster munitions stockpiles as a matter of urgency;
  7. Urges all States to take part in the upcoming First Meeting of States Parties (1MSP) that will be held from 8 to 12 November 2010 in Vientiane, Laos, the most cluster munitions-contaminated country in the world;

8. Urges EU Member States to take steps to begin to implement the Convention, including by destroying stockpiles, undertaking clearance and providing victim assistance, and to contribute to the provision of funding or various forms of assistance to other States wishing to implement the Convention;
9. Urges the EU Member States that have signed the Convention to pass legislation to implement it at national level;
10. Calls on the High Representative of the Union for Foreign Affairs and Security Policy to make every effort to secure the Union's accession to the CCM, which is possible following the entry into force of the Lisbon Treaty, and, in addition, to develop a strategy for the first review conference in the form of a Council decision on a common position;
11. Calls on the Council and Commission to include the ban on cluster munitions as a standard clause in agreements with third countries, alongside the standard clause on non-proliferation of weapons of mass destruction;
12. Calls on the Council and Commission to make the fight against cluster munitions an integral part of Community external assistance programmes in order to support third countries in destroying stockpiles and providing humanitarian assistance;
13. Calls on EU Member States, the Council and the Commission to take steps to prevent third countries from providing cluster munitions to non-state actors;
14. Urges EU Member States to be transparent about the efforts they make in response to this resolution and to report publicly on their activities under the Convention;
15. Instructs its President to forward this resolution to the Vice-President of the Commission/ High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the EU Member States and the candidate countries, the UN Secretary-General and the Cluster Munition Coalition.