A POSSIBLE DEFINITION OF A CLUSTER MUNITION AND A SUBMUNITION – DRAFT PROPOSALS

Submitted by the United Kingdom of Great Britain and Northern Ireland

1. A cluster munition means a dispenser or container, other than direct fire munitions, that releases more than [x] submunitions. Cluster munitions are designed to eject submunitions over a target. A dispenser or container that contains pyrotechnic, flare, smoke or non-explosive submunitions is not a cluster munition.

2. A submunition means a munition that to perform its task separates from a dispenser or container. A submunition is designed to detonate prior to, on or immediately after impact. Submunitions are categorized according to their design purpose, function, warhead and guidance system; accordingly:

   (a) A basic submunition means a munition that contains explosives but no guidance system or fail safe mechanism.

   (b) An advanced submunition means a munition that contains explosives and either a guidance system or a fail safe mechanism.

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Comment

3. A proposal would be to prohibit the use of basic submunitions after an agreed transition period. To include in an instrument an appropriate transition period, defined along the lines that the use of the prohibited CM (as defined) would not come into effect until after [y] years. The purpose of a transition period is to allow States time to adopt the instrument and change their military capability without incurring a capability gap. The period of time needs to be negotiated.