

No. 47713

Multilateral

Convention on Cluster Munitions. Dublin, 30 May 2008

Entry into force: *1 August 2010, in accordance with article 17(1)*

Authentic texts: *Arabic, Chinese, English, French, Russian and Spanish*

Registration with the Secretariat of the United Nations: *ex officio, 1 August 2010*

Multilatéral

Convention sur les armes à sous-munitions. Dublin, 30 mai 2008

Entrée en vigueur : *1^{er} août 2010, conformément au paragraphe 1 de l'article 17*

Textes authentiques : *arabe, chinois, anglais, français, russe et espagnol*

Enregistrement auprès du Secrétariat des Nations Unies : *d'office, 1^{er} août 2010*

Participant	Ratification and Acceptance (A)	
Albania	16 Jun	2009
Austria	2 Apr	2009
Belgium	22 Dec	2009
Burkina Faso	16 Feb	2010
Burundi	25 Sep	2009
Croatia	17 Aug	2009
Denmark	12 Feb	2010
France	25 Sep	2009
Germany	8 Jul	2009
Holy See (with declarations)	3 Dec	2008
Ireland	3 Dec	2008
Japan	14 Jul	2009
Lao People's Democratic Republic	18 Mar	2009
Luxembourg	10 Jul	2009
Malawi	7 Oct	2009
Malta	24 Sep	2009
Mexico	6 May	2009
Montenegro	25 Jan	2010
New Zealand	22 Dec	2009
Nicaragua	2 Nov	2009
Niger	2 Jun	2009
Norway	3 Dec	2008
Republic of Moldova	16 Feb	2010
San Marino	10 Jul	2009
Sierra Leone	3 Dec	2008
Slovenia	19 Aug	2009
Spain	17 Jun	2009
The former Yugoslav Republic of Macedonia	8 Oct	2009
Uruguay	24 Sep	2009
Zambia	12 Aug	2009

A

Participant	Ratification et Acceptation (A)		
Albanie	16 juin	2009	
Allemagne	8 juil	2009	
Autriche	2 avr	2009	
Belgique	22 déc	2009	
Burkina Faso	16 févr	2010	
Burundi	25 sept	2009	
Croatie	17 août	2009	
Danemark	12 févr	2010	
Espagne	17 juin	2009	
Ex-République yougoslave de Macédoine	8 oct	2009	
France	25 sept	2009	
Irlande	3 déc	2008	
Japon	14 juil	2009	A
Luxembourg	10 juil	2009	
Malawi	7 oct	2009	
Malte	24 sept	2009	
Mexique	6 mai	2009	
Monténégro	25 janv	2010	
Nicaragua	2 nov	2009	
Niger	2 juin	2009	
Norvège	3 déc	2008	
Nouvelle-Zélande	22 déc	2009	
République de Moldova	16 févr	2010	
République démocratique populaire lao	18 mars	2009	
Saint-Marin	10 juil	2009	
Saint-Siège (avec déclarations)	3 déc	2008	
Sierra Leone	3 déc	2008	
Slovénie	19 août	2009	
Uruguay	24 sept	2009	
Zambie	12 août	2009	

Declarations made upon Ratification

Déclarations faites lors de la Ratification

HOLY SEE

SAINT-SIÈGE

[ENGLISH TEXT – TEXTE ANGLAIS]

HOLY SEE

“In ratifying the Convention on Cluster Munitions the Holy See desires to encourage the entire International Community to be resolute in promoting effective disarmament and arms control negotiations and in strengthening international humanitarian law by reaffirming the preeminent and inherent value of human dignity, the centrality of the human person, and the “elementary considerations of humanity”, all of which are elements that constitute the basis of international humanitarian law.

The Holy See considers the Convention on Cluster Munitions an important step in the protection of civilians during and after conflicts from the indiscriminate effects of this inhumane type of weapons. The new Convention is a remarkable achievement for multilateralism in disarmament, based on constructive cooperation between governmental and non-governmental actors, and on the link between humanitarian law and human rights.

The Holy See would like to underline the following points:

1. The Convention adopts a broad definition of cluster munitions victims, including persons directly impacted, their families and communities, and requests States Parties to provide them with assistance. The Holy See is mindful that this broader assistance must be respectful of the right to life from the moment of conception to natural death, in order to conform to the fundamental principles of respect for human life, and ensure the recognition of human dignity. Preserving life and creating the conditions of an existence worthy of the human person should be at the core of humanitarian assistance.

2. States Parties, in designating a focal point within government (Article 5.2(g)), will have to guarantee that the coordination of national disability, development and human rights frameworks and mechanisms ensures effective assistance to all victims. In this regard, the Holy See also wishes to restate its understanding and interpretation of Article 5.2 (c), where the Convention recognizes “the specific role and contribution of relevant actors”: when a State Party develops a national plan and budget to carry out assistance activities according to the Convention “with a view to incorporating them within the existing national disability, development and human rights frameworks and mechanisms”, it shall guarantee the pluralism that is inherent in any democratic society and the diversity of relevant non-governmental actors. This respectful form of coordination of the various activities of governmental and non-governmental actors is in line with the Preamble (PP 10) (see also Dublin Diplomatic Conference for the adoption of a Convention on Cluster Munitions, Summary Record, CCM/SR/4, 18 June 2008).

3. The Holy See, by ratifying the Convention on Cluster Munitions, understands the term “gender”, used in the Preamble (PP 8) and in Articles 5.1, 6.7 and 7.1 (k) of the Convention, in accordance with its Interpretative Statement to the Beijing Declaration and Platform for Action, made in Beijing at the Fourth World Conference on Women.

4. Article 4.4 highlights moral responsibility in cases where cluster munitions have been used or abandoned and have become cluster munitions remnants prior to the entry into force of the Convention. State responsibility should be given effective expression in the area of cooperation and assistance.

5. In relation to Article 21, joint military operations do not imply, in any way, a suspension of the obligations under the Convention. “States Parties, their military personnel or nationals” shall never engage in activities prohibited by the Convention. On the contrary, joint military operations should be opportunities for States Parties to promote the standards introduced by the new instrument with the objective to protect civilians during and after armed conflicts.

The Holy See recognizes the spirit of partnership between States, United Nations bodies, International Organizations, the International Committee of the Red Cross and civil society which, through collective action, has sustained the process which has led to the adoption of the Convention. The Holy See considers the implementation of the Convention as a legal and humanitarian challenge for the near future. An effective implementation should be based on constructive cooperation of all governmental and non-governmental actors and should reinforce the link between disarmament and development. This can be done by directing human and material resources towards development, justice and peace, which are the most effective means to promote international security and a peaceful international order.

In conformity with its proper nature, with its particular mission, and with the particular condition of Vatican City State, and according to its international practice, the Holy See, by means of the solemn act of ratification, expresses its pledge to work towards a peaceful international order in which human dignity and fundamental rights are fully respected.”