

DIPLOMATIC CONFERENCE FOR THE ADOPTION OF A CONVENTION ON CLUSTER MUNITIONS

CCM/PT/13/Corr.

27 May 2008
Original: ENGLISH

DUBLIN 19 – 30 MAY 2008

Presidency Text transmitted to the Plenary

Article 3

Storage and stockpile destruction

1. Each State Party ~~undertakes to remove~~ **shall, in accordance with national regulations, separate** all cluster munitions **under its jurisdiction or control** from ~~stockpiles of munitions retained for operational use and keep them in separate stockpiles~~ **and mark them** for the purpose of destruction.
2. Each State Party undertakes to destroy or ensure the destruction of all cluster munitions ~~under jurisdiction and control~~ **referred to in paragraph 1 of this Article** as soon as possible but not later than ~~six~~ **eight** years after the entry into force of this Convention for that State Party. Each State Party undertakes to ensure that destruction methods comply with applicable international standards for protecting public health and the environment.
3. If a State Party believes that it will be unable to destroy or ensure the destruction of all cluster munitions referred to in paragraph 1 of this Article within ~~that time~~ **eight years of entry into force of this Convention for that State Party** it may submit a request to a Meeting of States Parties or a Review Conference for an extension of the deadline for completing the destruction of such cluster munitions ~~for~~ **by** a period of up to ~~ten~~ **four** years. **A State Party may, in exceptional circumstances, request additional extensions of up to four years. The requested extensions shall not exceed the number of years strictly necessary for that State Party to complete its obligations under paragraph 2 of this Article.**
4. Each request **for an extension** shall contain:
 - (a) The duration of the proposed extension;
 - (b) A detailed explanation of the ~~reasons for~~ **exceptional circumstances justifying** the proposed extension, including the financial and technical means available to or required by the State Party for the destruction of all cluster munitions referred to in paragraph 1 of this Article; ~~and~~
 - (c) A plan for how and when stockpile destruction will be completed;
 - (d) **The quantity and type of cluster munitions and explosive sub-munitions held at the entry into force of this Convention for that State Party and any additional cluster munitions or explosive sub-munitions discovered after entry into force;**
 - (e) **The quantity and type of cluster munitions and explosive sub-munitions destroyed during the period referred to in paragraph 2 of this Article; and**

(f) The quantity and type of cluster munitions and explosive sub-munitions remaining to be destroyed during the proposed extension and the annual destruction rate expected to be achieved.

5. The Meeting of States Parties or the Review Conference shall, taking into consideration the factors contained in paragraph 4 of this Article, assess the request and decide by a majority of votes of States Parties present and voting whether to grant the request for an extension. **The States Parties may decide to grant a shorter extension than that requested and may propose benchmarks for the extension as appropriate. A request for an extension shall be submitted a minimum of nine months prior to the Meeting of States Parties or the Review Conference at which it is to be considered.**

6. Notwithstanding the provisions of Article 1 of this Convention, the retention or acquisition of a limited number of cluster munitions and explosive sub-munitions for the development of and training in cluster munition and explosive sub-munition detection, clearance or destruction techniques, or for the development of cluster munition counter-measures, is permitted. The amount of explosive sub-munitions retained or acquired shall not exceed the minimum number absolutely necessary for these purposes.

7. Notwithstanding the provisions of Article 1 of this Convention, the transfer of cluster munitions to another State Party for the purpose of destruction, as well as for the purposes described in paragraph 6 of this Article, is permitted.

8. States Parties retaining, acquiring or transferring cluster munitions or explosive sub-munitions for the purposes described in paragraphs 6 and 7 of this Article shall submit a detailed report on the planned use of these cluster munitions and explosive sub-munitions and their type, quantity and lot numbers. If cluster munitions or explosive sub-munitions are transferred to another State Party for these purposes, the report shall include reference to the receiving party. Such a report shall be prepared for each year during which a State Party retained, acquired or transferred cluster munitions or explosive sub-munitions and submitted to the Secretary-General of the United Nations no later than 30 April of the following year.