

DEFINITION OF CLUSTER MUNITIONS:

Exclusion of munition or explosive sub-munition designed to engage point targets within a pre-defined area ("Sensor fused Alternative Munition", SEFAM)

Rationale: The following draft definition on "cluster munitions" excludes submunitions without explosives, e.g. kinetic energy rods, which do not cause Explosive Remnants of War. It also excludes munitions which contain less than [x] submunitions with explosives, each of which being sensor fused and thus designed to engage a point target within a pre-defined area; in addition, those submunitions with explosives must include a self-destruct and self-de-activation mechanism. Hence, both non-explosive submunitions as well as sensor fused submunitions with explosives (SEFAM) do not fall under the prohibition of Art. 1 (1).

It also refers to the definition as proposed in the Lima Chair's discussion text in Art. 2 Definition: "The following weapon systems shall be considered prohibited cluster munitions under this treaty... unless they are designed to, manually or automatically, aim, detect and engage point targets....."

Article 2 – Definitions

For the purposes of this Convention:

....

"Cluster munition" means a munition that is designed to disperse or release explosive sub-munitions, and includes those explosive sub-munitions. It does not mean the following:

- (a) a munition or sub-munition designed to dispense flares, smoke, pyrotechnics or chaff;
- (b) a munition or sub-munition designed to produce electrical or electronic effects;
- (c) **a munition containing less than [x] explosive sub-munitions each designed to engage a point target within a pre-defined area and equipped with a self-destruct and self-deactivation mechanism;** (new text)
- (d)

...

"Explosive sub-munitions" means munitions that in order to perform their task separate from a parent munition and are designed to function by detonating an explosive charge prior to, on or after impact;

Note: "Point Target" is a target, which requires the accurate placement of bombs or fire. "Area Target" is a target, consisting of an area rather than a single point.