

## Banning investments in cluster munitions

State	CCM signature	CCM ratification	Guidance	Prohibition/Interpretation	Source
Australia	03-dec-08		Interpretive statement	"[...] The intentional provision of financial assistance to an entity so that the entity can develop or produce cluster munitions will amount to an offence."	2011, Attorney General's Department on the Bill The Senate, Foreign Affairs, Defence and Trade Legislation Committee. "Criminal Code Amendment (Cluster Munitions Prohibition) Bill 2010 [Provisions]", March 2011.*
Belgium	03-dec-08	22-dec-09	Legislation	"[...] The financing of a company under Belgian law or under the law of another country, which is involved in the manufacture, use, marketing, sale, distribution, import, export, stockpiling or transportation of anti-personnel mines or sub-munitions [...]" "Financing [...] includes all forms of financial support, namely credits, bank guarantees and the acquisition for own account of financial instruments issued by the company."	2006, Supplement to article 8 of the Act regulating economic activities and individual activities involving arms: Belgian Act Prohibiting the Financing of the Production, Use and Possession of Anti-personnel Mines and Submunitions.
Bosnia and Herzegovina	03-dec-08	07-sep-10	Interpretive statement	" [...] "We consider investment in the production of cluster munitions to be prohibited."	2011, Letter from the Ministry of Foreign Affairs of Bosnia and Herzegovina to Human Rights Watch, 14 July 2011.
Cameroon	15-dec-09		Interpretive statement	"Cameroon [...] approves therefore [...] the prohibition on investments in cluster munitions."	2011, Letter from the Ministry of External Relations in Cameroon to Handicap International France, 12 May 2011.
Colombia	03-dec-08		Interpretive statement	"[...] Colombia views investment by any government in the production of cluster munitions as prohibited under article 1(1)c of the CCM."	2010, Letter from the Ministry of Foreign Affairs of Colombia to Human Rights Watch, 26 March 2010.
Croatia	03-dec-08	17-aug-09	Interpretive statement	"Investment in the production of cluster munitions is prohibited."	2011, Letter from the Ministry of Foreign Affairs and European Integration of Croatia to Human Rights Watch, 23 March 2011.
France	03-dec-08	25-sep-09	Ministerial statement	"[...] Any knowingly financial assistance, directly or indirectly, in the production or trading of cluster munitions would be considered as assistance, encouragement or inducement falling within the scope of the law under criminal complicity or commission of offenses under this bill."	2010, Statement by the Deputy Minister of Defense, National Assembly, XIIIe legislation, extraordinary session, 6 July 2010.
Germany	03-dec-08	08-jul-09	Parliamentary motion	"[...] Direct and indirect investments, and all other forms of financing [...] in all companies worldwide involved in the production and development of anti-personnel mines and cluster munitions."	2011, Motion tabled in Parliament on 9 February 2011.
Guatemala	03-dec-08	03-nov-10	Interpretive statement	"[...] According to the interpretation of the government of Guatemala, the Convention also includes a prohibition on investments in companies that manufacture cluster munitions."	2010, Letter from the Permanent Mission of Guatemala to the United Nations and other International Organizations in Geneva to Human Rights Watch, 14 May 2010.
The Holy See	03-dec-08	03-dec-08	Interpretive statement	"[...] It is important for the integrity of the Convention and its implementation to include those investments in the list of prohibitions."	2010, Statement at the First Meeting of States Parties in Vientiane, Lao PDR on 9 November 2010.
Hungary	03-dec-08		Interpretive statement	"[...] Hungary believes that investment into the production of cluster munitions is prohibited by the Convention."	2011, Letter from the Ministry of Foreign Affairs of Hungary to Human Rights Watch, 27 April 2011.
Ireland	03-dec-08	03-dec-08	Legislation	"[...] The investment of public moneys." "[...] Any investment, direct or indirect, in a munitions company "munitions company" means a company involved in the manufacture of prohibited munitions or components; "prohibited munition" means a cluster munitions, explosive bomblet or anti-personnel mine."	2008, Cluster Munitions and Anti-Personnel Mines Act.
Italy	03-dec-08		Legislation	"[...] "Whoever uses, subject to the provisions of Article 3, paragraph 3, develops, produces, acquires in any way, stores, retains, or transfers, directly or indirectly, cluster munitions or parts thereof, or financially assists, encourages or induces others to engage in such activity, is punished with imprisonment from three to twelve years and a fine of 258,228 euros to 516,456 euros." **	2011, Law on the Ratification and Implementation of the Oslo Convention on the ban on cluster munitions (Law No. 95).
Lao PDR	03-dec-08	18-mar-09	Interpretive statement	"We strongly support the full prohibition of cluster munitions, including those activities during the joint military operations, transiting, foreign stockpiling and investment in the production of cluster munitions."	2011, Letter from the Ministry of Foreign Affairs of Lao PDR to Human Rights Watch, 1 June 2011.
Lebanon	03-dec-08	05-nov-10	Interpretive statement	"[...] It is the understanding of the government of Lebanon that Article /1/ Paragraph (c) of the Convention prohibits the investment in entities engaged in the production or transfer of cluster munitions or investment in any company that provides financing to such entities. In the view of Lebanon, "assistance" as stipulated in Article /1/ paragraph (c) includes investment in entities engaged in the production or transfer of cluster munitions and is thus prohibited under the Convention."	2009, Letter from the Permanent Mission of Lebanon to the United Nations in Geneva, to Human Rights Watch, 10 February 2009.
Luxembourg	03-dec-08	10-jul-09	Legislation	"All persons, businesses and corporate entities are prohibited from knowingly financing cluster munitions or explosive submunitions."	2009, Bill approving the Convention on Cluster Munitions, article 3, approved 7 May 2009.

\* Contrary to this interpretive statement, the draft ratification bill in Australia does not include any provisions that would prohibit investments in cluster munitions.

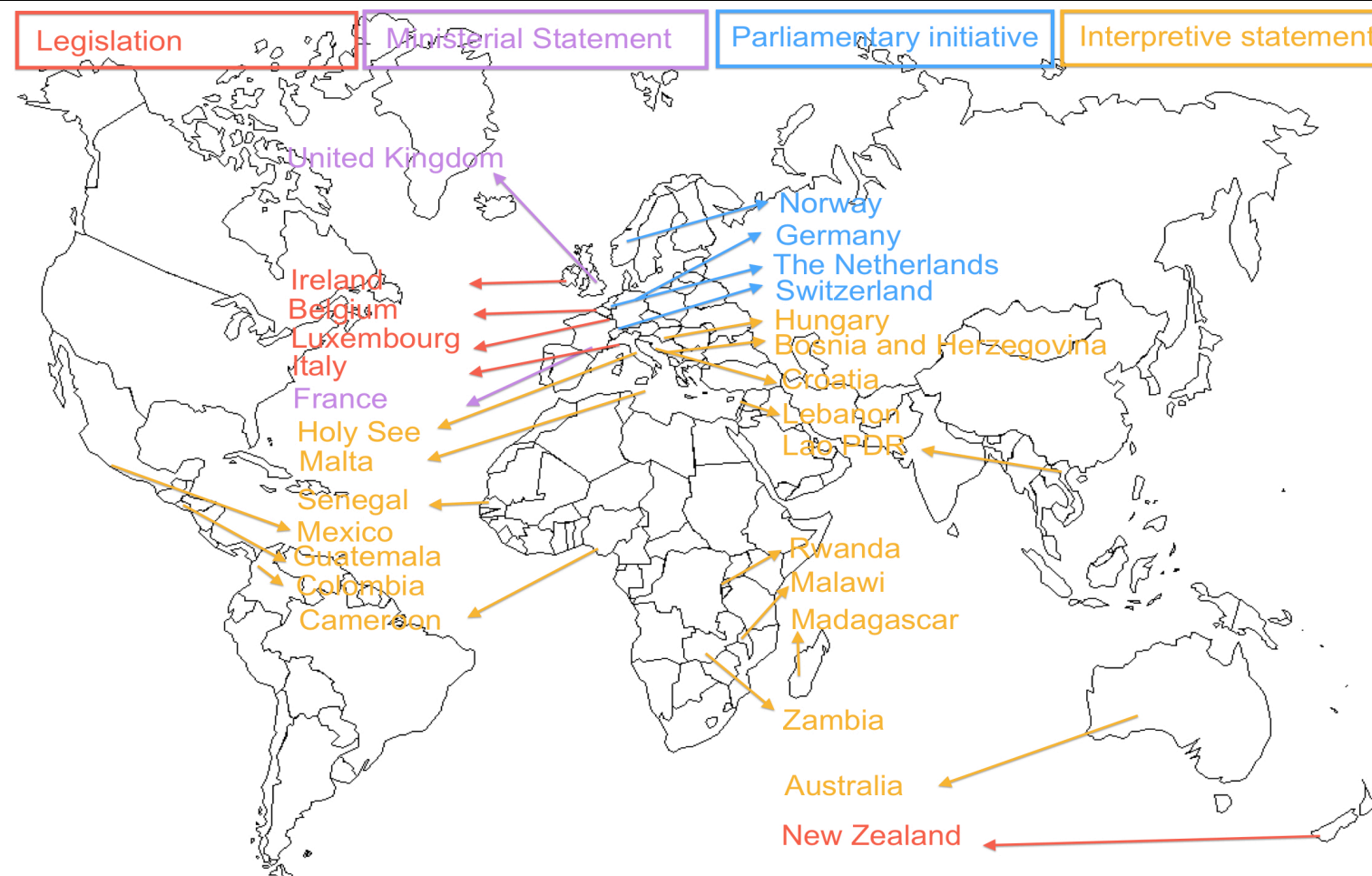
For more information on the Australian ratification process see: <http://www.stopclustermunitions.org/news/?id=3198>

\*\* Art. 7 (1) of the Italian implementation law criminalizes financial assistance to acts that are prohibited by the No. 95 legislation. A draft bill was submitted to the Senate on 26 May 2010 to create separate legislation with a specific prohibition on the "financing of the production, use, repair, promotion, sale, distribution, import, export, storage, possession, or transport of antipersonnel mines and cluster bombs and submunitions thereof."

Source: IKV Pax Christi and Netwerk Vlaanderen (2011), 'Worldwide Investments in Cluster Munitions; a Shared Responsibility', except for the information about Cameroon, Hungary, Lao PDR, Senegal, Bosnia and Herzegovina and Italy. Information about these states was obtained after the launch of the report and is available upon request by IKV Pax Christi.

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Madagascar	03-dec-08		Interpretive statement	"[...] The Convention, in the opinion of Madagascar, also precludes investments in companies that produce cluster munitions"; and "[...] any investment in cluster munitions should indeed be prohibited."	2010, Letter from the Permanent Mission of Madagascar to the United Nations and other International Organizations in Geneva to Human Rights Watch, 2 April 2010; and Statement during the First Meeting of State Parties in Lao PDR in November 2010.
Malawi	03-dec-08	7-oct-09	Interpretive statement	"Malawi is of the opinion that the Convention constitutes a prohibition on the investment in producers of cluster munitions."	2010, Statement during the Africa Regional Conference on the Universalisation and Implementation of Convention on Cluster Munitions in Pretoria, 25 March 2010.
Malta	03-dec-08	24-sep-09	Interpretive statement	"Malta believes that the assistance prohibition under Article 1 (c) of the Convention precludes financing and investment in corporations linked with the production of cluster munitions."	2010, E-mail from the Ministry of Foreign Affairs of Malta to Handicap International France, 25 April 2010.
Mexico	03-dec-08	06-May-09	Interpretive statement	"[...] Also, it is Mexico's opinion that investment for the production of cluster munitions is also prohibited by the Convention."	2009, Letter from Amb. Juan Manuel Gómez Robledo, Ministry of Foreign Affairs of Mexico, letter to Human Rights Watch, 4 March 2009.
Netherlands	03-dec-08	23-feb-11	Parliamentary motion	"Prohibit direct and demonstrable investments in the production, sale and distribution of cluster munitions."	2011, Motion adopted in the Senate on 29 March 2011.
New Zealand	03-dec-08	22-dec-09	Legislation	"A person commits an offence who provides or invests funds with the intention that the funds be used, or knowing that they are to be used, in the development or production of cluster munitions."	2009, Cluster Munitions Prohibition Act, 17 December 2009.
Norway	03-dec-08	03-dec-08	Draft bill	"[...] The Ministry agrees that investment, for example, in companies that develop or produce cluster munitions may fall within the scope of the Convention's prohibition of aiding and abetting."	2008, Proposition No. 7 (2008-200[9]) to the Odelsting on a Bill Relating to the Implementation of the Convention on Cluster Munitions in Norwegian Law.
Rwanda	03-dec-08		Interpretive statement	"[...] Any investment in the production of cluster munitions is prohibited."	2009, Letter from the Ministry of Foreign Affairs of Rwanda to Human Rights Watch, 6 April 2009.
Senegal	03-dec-08	03-aug-11	Interpretive statement	"Senegal considers the transfer and foreign stockpiling of cluster munitions, and investment in cluster munitions to constitute a violation of the CCM."	2011, Letter from the Ministry of Armed Forces of Senegal to Human Rights Watch, 3 February 2011.
Switzerland	03-dec-08		Parliamentary motion	"[...] Any investments in banned weapons, like cluster munitions and anti-personnel landmines."	2010, Two Parliamentary motions proposed and adopted in Parliament in March 2010, and by the Council of States on 17 June 2010.
United Kingdom	03-dec-08	4-may-10	Ministerial statement	"[...] Under the current provisions of the Bill, which have been modeled upon the definitions and requirements of the convention, the direct financing of cluster munitions would be prohibited."	2009, Ministerial Statement by the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs on 7 December 2009.
Zambia	03-dec-08	12-aug-09	Interpretive statement	"[...] The Convention on Cluster Munitions includes a prohibition on investments in companies that manufacture cluster munitions."	2009, Statement during the National Committee on Anti-personnel Landmines (NCAL) Meeting, Lusaka, 11 September 2009.



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