

MISSION PERMANENTE DU LIBAN
AUPRES DE
L'OFFICE DES NATIONS UNIES
A GENEVE

Rue de Moillebeau 58
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The Permanent Mission of Lebanon to the United Nations Office and other International Organizations in Geneva presents its compliments to Mr. Stephen D. Goose and with reference to his letter dated January 30, 2009, has the honor to enclose herewith the reply of the Lebanese Government to the questions contained in the above-mentioned letter.

The Permanent Mission of Lebanon avails itself of this opportunity to renew to Mr. Stephen D. Goose the assurances of its highest consideration.

Geneva, February 10, 2009



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**Answers to questions contained in the letter of Mr. Stephen Goose on behalf
of Human Rights Watch and Landmine Action,
dated January, 30, 2009**

Lebanon has strongly supported the Oslo process since its inception and it was successfully among the first countries to sign the Convention on Cluster Munitions CCM in Oslo, last December, represented by the Lebanese Minister of Foreign Affairs and Emigrants.

All through the process, Lebanon exerted immense efforts, alongside a considerable number of countries, to achieve, by the end of 2008, an international legally binding instrument that prohibits Cluster Munitions that cause unacceptable harm to civilians. However, Lebanon made it clear, in each and every occasion, that there's no concrete ground for a distinction of "acceptable or unacceptable harm" since "harm is always a harm" regardless of its description. Against this background, Lebanon was very keen during the diplomatic negotiations in Dublin that a future treaty should put an end to decades of human suffering caused by this indiscriminate weapon, and it is Lebanon's view that realizing such an aim entails a comprehensive ban on Cluster Munitions. To this end, Lebanon stood firmly against any attempt to dilute or to weaken the negotiated text by then.

In this context, the Government of Lebanon reiterates the following:

1. Lebanon is seeking to ratify the CCM; once ratified, the Ministry of Foreign Affairs and Emigrants will propose the establishment of an inter-Ministerial committee to oversee its implementation.
2. Lebanon has never stockpiled, neither produced nor used Cluster Munitions and it's not willing to do so.
3. It is the understanding of the Government of Lebanon that the transit of cluster munitions across, or foreign stockpiling of cluster munitions on the national territory of States Parties is prohibited by the Convention. Article /1/ paragraph (b) of the Convention explicitly prohibits all stockpiling and all transfers. In the view of Lebanon, the definition of 'transfer' in Article /2/ paragraph (8) does not exclude the transit of cluster munitions across the territory of states parties and therefore such transit is prohibited under the Convention.



4. It is the understanding of the Government of Lebanon that all assistance with prohibited acts is prohibited under Article /1/ paragraph (c) of the Convention. While Article 21 allows for military cooperation with states not party to the Convention it does not allow any assistance with prohibited acts. In the view of Lebanon Article /1/ paragraph (c) takes precedence over Article 21 and States Parties must never undertake any act that could constitute deliberate assistance with a prohibited act.
5. 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.

