



6TH MEETING OF STATES PARTIES TO THE CONVENTION ON CLUSTER MUNITIONS

MINUTES OF THE CCM COORDINATION COMMITTEE MEETING

Held on Thursday, 26 May 2016

at the Permanent Mission of the Netherlands, from 10:00 – 11:00 hours

1. PRESENT:

The Netherlands – 6MSP President

H.E. Henk Cor Van der Kwast
Mr. Mark Verstedden
Ms. Heleen Huijgen - Intern

Australia

Mr. Hugh Watson

Austria

Mr. Peter Steiner

Chile

Ms. Carola Munoz

Costa Rica

Mr. Norman Lizano Ortiz

Czech Republic

Ms. Markéta Homolková

France

Ms. Marie Gaëlle Robles

Iraq

Mr. Emad Al-Juhaishi

Mexico

Ms. Sandra Paola Ramírez Valenzuela
Mr. Victor Martinez

Norway

Ms. Malgorzata Hauge
Ms. Thea Mjelstad - Intern

Switzerland

Mr. Laurent Masméjean
Ms. Aline Berdoz

Zambia

H.E. Encyla T. C. Sinjela
Mr. Samson Lungo

Cluster Munition Coalition

Ms. Amelie Chayer

ICRC

Mr. Louis Maresca

UNODA

Ms. Silvia Mercogliano

Secretariat - CCM ISU

Ms. Sheila N. Mweemba
Mr. Matthieu Laruelle

APOLOGIES RECEIVED

Bosnia and Herzegovina
Ecuador
New Zealand

APOLOGIES NOT RECEIVED

Croatia

2. Opening Remarks by the President

The 4th Coordination Committee meeting of 2016 was opened by CCM President, Ambassador Henk Cor van der Kwast of the Netherlands with a warm welcome to all the Committee members. The President presented the Agenda and enquired of the Committee if it had any additional for discussion. The CMC representative asked the President if she could provide a short feedback on the meeting on *Universalization and Strengthening of the Norm against their use* held jointly with the Presidency on 17 May. The President agreed with her request and said that he would supplement on her report back.

3. Approval of the Minutes of 28 March 2016

The draft Minutes, which had been circulated in advance, were approved without comment as a correct record of what had transpired during the Coordination Committee Meeting held on 28 April 2016.

4. Update from the CCM Presidency

The President highlighted to the meeting an overview of the activities that the presidency had undertaken since the last Coordination Committee meeting.

4.1 World Humanitarian Summit

The President recalled that Australia and New Zealand had proposed changes to the initial text of the CCM Pledge. In this regard, the decision was taken to use the exact wording of the Dubrovnik Political Declaration. The pledge was submitted by the Dutch Ministry of Foreign Affairs during the World Humanitarian Summit (WHS) and subsequently uploaded on 23rd May on the WHS website. A message was sent to all Permanent Missions to encourage States to join the Pledge. The President mentioned that as a limited number of country representatives had been given access to the WHS website through the use of a password, it was therefore for this reason that most Geneva based UN Missions could join the Pledge directly. He also informed the Committee that the Pledge had been included and uploaded under the *Other Commitments and Pledges* page and not under the *Core Commitments* page. He further proposed to send the text once more to all the coordinators.

4.2 Informal meeting on Universalization and Strengthening of the norm

The President asked the CMC representative followed by the ISU-CCM Director to provide a short summary of the event. She reported that together with the CCM Presidency and with support from the ISU-CCM, they had organized a half day informal meeting with a selected group of States Parties to the CCM on *Universalization and Strengthening of the norm against their use*. The event took place on 17 May at the Palais des Nations and brought together 15 States and 4 organisations. The workshop was divided into two sessions: one on universalization and the other on norm building. During the first session it was reported that joining the Convention on Cluster Munitions was often not perceived as a priority by States and that it was therefore important to conduct persistent outreach with a range of national actors including the Ministry of Defense. Regarding stigmatization, participants noted that a key way to increase stigma is to speak up against use, both at the time where cluster munitions are used and at Meetings of States Parties, and both individually and collectively.

Participants also noted that when it comes to the question of confirming use, it is often easy to get two sources. The CMC representative concluded her report by informing that an outcome document on the informal exchange would be compiled and circulated to the Committee.

ISU-CCM Director, who was rapporteur during the event, then gave a more detailed overview of the main outcomes of the workshop:

On universalization

- Develop and share a list of target States (both signatories and others);
- Adopt a regional and/or a national approach;
- Be persistent and apply sustained efforts by a variety of actors;
- Use civil society both in country and in New York;
- Identify what is important and a vital motivator to individual States;
- Continue speaking out through the CCM Presidency;
- Use bilateral and multilateral dialogue (engagement through meetings, provision of assistance etc.);
- Look at other Treaties for best practices;
- Partner with UN agencies such as UNICEF, UNMAS etc. to incorporate CCM objectives in their work;
- Get the UNSG to send letters and make statements;
- Make use of a celebrity;
- Promote the Convention through key dates: International Day for Mine Awareness and Assistance in Mine Action (4 April); Entry into force of CCM (1 August); Adoption of the Convention in Oslo (3 December); and IHL national committee meeting organized by ICRC (date to be confirmed).

On Strengthening the Norm against Use

- Continue to condemn all use either as a group of States or as an individual State;
- Use all available opportunities such as the World Humanitarian Forum and other high level events to condemn any use of cluster munitions;
- Work in a coordinated way between States, international organizations and civil society;
- Encourage big States to speak out on incidences of use of cluster munitions;
- Strengthen timely and exhaustive data collection on evidence of use in order to increase confidence of States to speak out;
- Not only condemn the use of cluster munitions but also those who produce and export cluster munitions;
- Make use of various media channels such as social media, websites, press coverage, etc.

The President concluded by saying that these points would be used in the preparations of the 6 MSP. He invited the meeting to provide additional feedback in order to ensure a productive MSP in September.

4.3 Launch of A Guide to Cluster Munitions

The President informed the meeting that the publication *A Guide to Cluster Munitions Third Edition* was launched at a reception jointly hosted by the Netherlands, Italy and the GICHD on 17 May. He also thanked the GICHD, the Italian Government and the ISU-CCM for the publication of this important document. The President urged the Committee members to get copies as the publication as it was a very useful tool. He added that the updated Guide to

Cluster Munitions, together with the published copy of the Dubrovnik Action Plan, would also be available online on the Convention's website.

4.4 Update on ISU Financial Contributions

The President informed the meeting that since the last meeting, only one State Party had made a contribution. He added that Tunisia had paid its contribution for the next 3 years. However, there still remained a large number of States that still needed to meet their obligation. In this regard, the President informed the meeting that a letter was going to be sent at the end of June, reminding States that had not yet made any contributions to do so as soon as possible. The Presidency also offered his support to Coordinators in talking to their capitals if necessary for the contributions to be made.

Regarding the latest two States Parties (Cuba and Palau), the President informed the meeting that the budget recalculation would be done starting from the 6MSP for the 2017 contributions to make the implementation of the financial procedures less complicated. The Presidency announced that a proposal to this effect would be submitted during the 6MSP.

Mexico announced that information had just been received that morning from its capital that a voluntary contribution of UD\$10'000 would be made in the following days.

5. Updates from the Thematic Coordinators

The President then invited the Coordination Committee members to share any updates on their thematic mandates since the previous Meeting.

5.1 Universalization (Ecuador and Zambia)

Zambia speaking on behalf of the Universalization Coordinators extended their thanks to the GICHD and the ISU-CCM for the publication of *A Guide to Clusters Munitions* which would help with the implementation of the Convention.

The Coordinator reported that the ISU-CCM, CMC and the African Union were planning a regional meeting on universalization and national implementation measures in Addis Ababa during the last week of July. He informed the meeting that nothing had been finalized at that time as the workshop dates still needed to be agreed to as the African Union Heads of State Summit was scheduled to be held around the same time.

Regarding the Geneva Progress Report, he confirmed that universalization coordinators planned to start working on their part of the Report and intended to submit it within the proposed timeframe.

Zambia further reported that they had received unconfirmed information through the CCM ISU that Yemen had indicated its interest in joining the CCM. In this regard, the coordinators would approach the Yemeni Permanent Mission in Geneva to discuss the matter and would report later on their discussions with the Mission.

To conclude the update on this thematic discussion, the President thanked Zambia and Ecuador for the amount of work done since the last Coordination Committee.

5.2 Clearance and Risk Reduction (Bosnia & Herzegovina and Norway)

On behalf of the Coordinators on Clearance and Risk Reduction, Norway reported that the Coordinators did not have much to report on since the last update. They were, however,

considering targeting specific countries to work with but that this plan was still at a very preliminary stage.

5.3 Stockpile Destruction and Retention (France and Mexico)

France, on behalf of the coordinators on Stockpile Destruction and Retention reported that targeted letters signed by their respective Permanent Representatives had been sent to States that needed to provide updated information in their current Article 7 Report and States that had completed stockpile destruction and could share experiences and best practices. The Coordinators reported that these targeted letters had been sent to permanent missions in Geneva, with the exception of Guinea Bissau, which was sent to New York (Guinea Bissau not having representation in Geneva). The Coordinators reported further that they would follow up in the course of the month with Permanent Missions in Geneva in order to ensure that the letters had been brought to the attention of their capitals. The President thanked the coordinators for their work and hoped for feedback from these States by the end of June.

5.4 International Cooperation and Assistance (Austria and Iraq)

Iraq, on behalf of the Austria, reported that the Coordinators on International Cooperation and Assistance had closely cooperated with the Coordinators on Victim Assistance to organize a workshop on *An Integrated approach to Victim Assistance in the context of Development, Human Rights and Humanitarian Initiatives*. The workshop took place on 18 May at the Maison de la Paix in Geneva. Iraq further reported that the outcomes of the workshop would be used to develop guidelines for both donor and affected States. In addition, Iraq mentioned that the coordinators had already met on 24 May, after the workshop had taken place, in order to define the next steps in the production of the guidelines.

The Coordinator also recounted discussions at the APMBC's Intersessional meeting held on 19 and 20 May at which the need to enhance cooperation and assistance between the two Conventions had been reiterated. In this regard, Iraq had asked for a meeting with Switzerland in its capacity as APMBC International Cooperation and Assistance Coordinator to explore possibilities of this envisioned enhanced coordination. Iraq stated that the APMBC Platform on Partnership had not had the intended outcome and therefore it would not be a good idea for the CCM to duplicate it.

In the ensuing discussion, it was pointed out that there had been a negative response the similar mechanism under the Anti-Personnel Mine Ban Convention (APMBC) and that duplicating it under the CCM would not be beneficial. He further proposed that perhaps having the Platform as a joint resource for both the Conventions would be the best approach. It was also highlighted that it was very common to have unsuccessful duplications of databases and that it was therefore important to see what the database contained prior to taking any decision.

5.5 Transparency Reporting (Costa Rica)

In providing an update on Transparency Reporting, the Coordinator Costa Rica, informed the meeting that he had just held a consultative meeting with the UNODA representative to bring up to date the Article 7 Report status. He reported that there had been a significant increase in reporting by States since the last meeting. He informed the meeting that 38 States had already submitted their 2015 Annual Reports though this number was not as high

as in 2014. However, Costa Rica intended to wait until mid-June to send a reminder to States that had not yet met the obligation.

He conveyed to the meeting that 4 initial transparency reports had been submitted since the First Review Conference and that another 3 initial reports had been received with errors. These were in the process of being reviewed prior to uploading them on the UNODA webpage. Costa Rica further mentioned that the most difficult part for States is the initial report. He added that subsequent reports should be easier to produce especially when there were no changes.

In the ensuing debate, the President asked how reporting could be made simpler as it seemed that the reports were too complex and posed a major hindrance to meeting this obligation. Costa Rica explained that it was a complicated process but States were at liberty to suggest a simple reporting template. In concluding his presentation, he restated that the Coordinator and the ISU were available to help States and facilitate the reporting process.

In its submission, the ICRC highlighted that the reporting process should not be complicated for many States as they were not affected by cluster munitions. It stressed, however, that a major challenge was the multiplicity of reporting arising from a range of instruments that States had to undertake. He emphasized that a creative solution in this area might help improve the rates of reporting.

When asked about her views, the UNODA representative noted that across different areas of work of the Office, it had been noted an overall stagnation or even decrease of reporting, perhaps due to “reporting fatigue”. When further asked to comment on the President’s possible suggestion to revise the reporting templates, she referred to the experience of the reporting under the Programme of Action (PoA) on Small Arms Light Weapons (SALW), for which, at the time she was in New York reporting was done directly online through a secured webpage where States could fill in the forms and submit them automatically. She added that she was not sure whether the system was still in place and also noted that it was for States to decide whether a new system of reporting was needed, also taking into account the potential financial implications. The President added that it was important for States to know that there were possible solutions to their problems.

In closing the discussion, the President noted that the matter of low transparency reporting was going to one of the key issues to be addressed at the 6MSP.

5.6 Victim Assistance (Australia and Chile)

Australia, reporting on behalf of the Coordinators on Victim Assistance, informed the meeting that they together with the Coordinators on International Cooperation and Assistance, and the technical support of Handicap International, had held a workshop on an *Integrated Approach to Victim Assistance in the context of Development, Human Rights and Humanitarian Initiatives* on May 18th 2016, at the Maison de la Paix, a few days prior to the APMBC Intersessional meeting. He stated that the successful workshop had 23 States representatives participating both from donor and affected States. He highlighted that some of the participating States were not party to the CCM. Also participating were 10 high profile international organisations and NGO representatives. He was happy to report that the workshop had achieved the main aim of drawing on combined efforts—experience across Conventions to identify good practices and recommendations on implementing an integrated approach to victim assistance.

Australia further explained that the workshop agenda was divided into two segments. The first half was dedicated to presentations on defining what an integrated approach to victim assistance is about by Handicap International, an affected state (Albania) and a donor state (Italy). The second half was an interactive session with guiding questions which was very productive as participants were divided into working groups to reflect on and exchange good practices. He also informed that Australia had reported on the outcomes of the workshop during the APMBC Intersessional meeting held in Geneva on 19-20 May.

Australia elaborated that the next stage would be to put together a first draft of the Guidance Note highlighting the examples of best practices and recommendations on implementing the integrated approach. This would include the input from states at the workshop, together with the responses to the questionnaires previously sent as well as other material from existing guides. He further explained that the consultation process on the draft guidelines would include the circulation of the document to all workshop participants as well as to the victim assistance coordinators of similar Conventions such as the APMBC and the Convention on Certain Conventional Weapons (CCW).

The Coordinators intended to have this preliminary guidance document on the integrated approach ready for issue by end of June and to present it as one of the Meeting documents during the 6MSP. He cautioned that given the limited time available for extensive consultation, they would consider finalizing the guidelines later and as a collaborative effort at the APMBC 15MSP in Santiago, Chile.

Australia clarified that these would be non-binding guidelines and that the CCM coordinators were still working on the best way to conduct the consultation process final guidance would be that of the CCM coordinators though it could apply to related conventions such as the APMBC and CCW.

In concluding, he thanked the ISU Director and her team for its administrative and logistical support as well as the GICHD for providing the venue and administering the sponsorship programme on behalf of the Coordinators.

In summing up the discussion, the President expressed his satisfaction on the synergies between the Conventions.

5.7 National Implementation Measures (New Zealand)

The Coordinator on National Implementation Measures, New Zealand, had previously informed the Presidency and ISU CCM of her absence. ISU CCM Director read the following statement on her behalf.

[Quote] On Tuesday 17 May, New Zealand hosted an informal working lunch for a range of States, organisations and civil society actors on the issue of national implementation measures. The objective was to brainstorm ideas that might help accelerate progress towards the achievement of relevant actions identified in the Dubrovnik Action Plan. New Zealand was impressed and inspired by the range of ideas that were put forward and is now considering the best way in which to share these with all States Parties and to ensure their follow up. One element of direct relevance to the coordination committee that emerged from the meeting was the potential for greater collaboration between the coordinators on universalisation, international cooperation and assistance, and national implementation measures.

With respect to developments in Africa, New Zealand is pleased to confirm its support for a joint event with the ISU and the Africa Union in late July focusing on CCM universalisation and implementation in East Africa. We have also confirmed our contribution to the Sponsorship Programme to provide support for bringing experts from African countries to the MSP in August - while they are in Geneva it is New Zealand's intention to meet bilaterally with them to discuss national implementation measures. [Unquote]

The President thanked the coordinator for all the good work being done in this area.

5.8 General Status and Operation of the Convention (Czech Republic and Switzerland)

The Czech Republic reporting on behalf of the Coordinators on the General Status and Operation of the Convention, informed that since the last meeting, the coordinators had proceeded to the next stage of the preparations on the Progress Report and circulated to all committee members guidance documents. She highlighted the key elements of the Progress Report and emphasized that it would cover the period from 12 September 2015 up to 30 June 2016.

In elaborating on the structure and content of the Progress Report the thematic Coordinators had to submit, she highlighted the following fundamental elements:

- prepare a short narrative on the major developments and achievements (maximum 3 A4 pages);
- list in the form of a few bullet points the key achievements in their thematic (that is, list a succinct summary of the narrative in the form of three to five bullet points);
- formulate questions that might be addressed by States and which would guide discussions at the 6MSP;

In conclusion, the Coordinator emphasized that the intention of the new format was to provide states with a Report that was as practical and useful as possible for States. The key elements under each thematic area would assist delegations to get the gist of the overall status of implementation of the Convention at a glance. She also reminded the Committee that a summary of the key Dubrovnik Action Plan objectives and outputs had been presented in table form and had also been circulated earlier. She finally requested all Coordinators to submit their Report inputs to the General status Coordinators by 23rd June at the latest to allow them enough time to consolidate all the updates in time for submission to the UN conference services for translation on 29 June 2016.

In reporting on progress made on the Sponsorship Programme guidelines, Switzerland, on behalf of the Coordinators on General Status and Operation of the Convention, informed the Committee that they were working a number of options which would be circulated for comments once finalized.

In contributing to the discussion, the CMC reminded the Committee that in the past, a number of guiding questions had been posed in the Progress report and that these could still be used, as most of them were still remained relevant to the implementation of the CCM.

6. Looking ahead to the 6th Meeting of States Parties (6MSP)

It was reported that the Presidency hoped to feed into the 6MSP all the good ideas that had been put forward by the Committee and would share a general overview of the event at the next Coordination Committee meeting. The President also announced that the Netherlands would host a welcome reception on the evening of 5th September and asked Committee to save the date.

7. Updates on the consideration of 2016 – 2018 Thematic Coordinators

The President encouraged the out-going coordinators to assist the presidency in the recruitment of new coordinators to take over from them. He also stated that the out-going coordinators were welcome to continue on the Coordination Committee in a new capacity.

8. Update on the search for 7th MSP President

The President informed the meeting that there were the presidency was currently in discussion with one other country on the possibility of it presiding over the convention. He would report back on the outcome at the next meeting.

9. Any Other Business

Use of UK cluster bombs confirmed

CMC informed the meeting that Amnesty International had released the findings of its recent mission to Yemen, confirming that cluster munitions produced in the United Kingdom in the 1970s had been used by the armed coalition led by Saudi Arabia. The findings do not provide any reason to believe that the transfer would have occurred after the UK joined the CCM. She further mentioned that Human Rights Watch had also confirmed the findings about the type of weapon used. The United Kingdom announced that it would carry out a full investigation on the matter. The CMC also informed the meeting that there had been a long opinion piece on the matter in the Guardian, amongst other media coverage.

The President indicated that he was aware of the matter and that he would follow up closely any further developments through the Dutch Embassy in London.

10. Date of the Next CC Meeting

It was agreed that the next meeting of the Coordination Committee would be held at the Permanent Mission of the Netherlands, 4th Floor Conference Room, at 10:00 hours on Thursday, 30 June 2016.
