



Meeting of the Friends of the President of the 1MSP to the CCM

1 February 2011

Minutes and action points

Summary

The meeting focused largely on discussions around the future implementation architecture and on the suggested agenda for the June intersessional. The second draft on 'Implementation Architecture and Intersessional Work' was discussed. Other agenda items included the 2MSP and the coordination of the work of Friends in the run up to the intersessional meeting and 2MSP.

Agenda for the intersessionals – Lao PDR

As a basis for discussion, a tentative agenda was distributed by the President at the meeting. There was broad agreement that the main focus of the meeting should be on implementation challenges and identifying solutions to challenges and that it should foster discussion among participants on cross cutting issues, be an opportunity for questions, comments and exchanges of views on specific states' situations. Given the informal nature of the intersessional and the fact that decisions on the future architecture would not be in place until 2MSP at the earliest. It was suggested that discussions with reference to the various thematic areas of Status and Operation of the Convention; Cluster Munitions Clearance, land release and risk reduction; Stockpile Destruction and Victim Assistance were to be held under 'sessions' as opposed to 'working groups'. And that universalization, transparency reporting and national implementation measures 'sessions' were to be chaired by respective friend of the president on these issues within the 'session' on Status and Operation of the Convention. Strong arguments remain with reference to making Cooperation and Assistance a 'session' of its own with the aim of establishing a 5th working group on International Cooperation and Assistance in the future.

It was further affirmed that the intersessional work week is to be opened by the current Presidency who will lead the intersessional work week assisted by Friends chairing the various thematic 'sessions'. It was further affirmed that the current composition and status of friends with regards to ratifications was fully accepted by all as qualified lead on the various 'sessions' during the intersessionals.

CMC said that it was a good draft and reiterated that the Intersessionals are a good opportunity for open and informal discussions. CMC stated that 3 ½ days should be a sufficient amount of time given the relatively small number of signatories and States Parties that would have presentations to make in the relevant thematic sessions.

The Lao Presidency would now work on a revised agenda for the intersessionals incorporating inputs provided in the meeting



Draft architecture – Canada

As Friend on matters pertaining to the President's Paper on *Implementation Architecture and Intersessional Work*, Canada presented a revised version of the draft dated 21 January. Canada also offered to host a Friends meeting on 17 May 2011. Feedback on the 5 proposals below:

Proposal 1

- It was suggested that intersessional meetings of the CCM should be held back-to-back with the APMBC due to cost savings in travel budgets. It was further argued that this should be done when feasible but that holding intersessional meetings midway between MSPs would be more important than ensuring back-to-back meetings with the APMBC as this may compromise the most effective use of time, i.e. put intersessionals too close or too far from the MSPs.

Proposal 2

- A number of Friends remain firm on the need to elevate the thematic area on International Cooperation and Assistance to full 'working group' status alongside of General Status and Operations of the Convention, Victim Assistance, Cluster Munitions Clearance, Land Release and Risk Reduction and Stockpile Destruction and Retention. The CMC adds the same argumentation also to universalization.
- It was argued, albeit not conclusively, that in light of states working commitments towards other instruments, it may present a challenge to identify enough state delegates to fill 12-13 coordinator posts.
- CMC argued that the importance of assigning at least 1 coordinator to each key thematic issue and that each working group did not necessarily need two coordinators and hence that all issues could be given same status. It was argued however that having 2 coordinators on each issue allows smaller missions to be able to volunteer as it may be too time and human resource demanding to do it alone.
- It was further argued that one could apply a more integrative format to the intersessional agenda in which each affected state could be presented and discussed in a more holistic manner covering Victim Assistance, Clearance and International Cooperation and assistance as opposed to the more traditional thematic sessions. A counter argument referred to thematic experts of ministries being separate on these different issues and that this therefore would not work.

Proposal 3

- International organisations and NGOs taking part in the Coordinating Committee should be named and invited.
- Further suggestions held that a basis of rotation should be established that ensured no 'permanent seats' were held by coordinators on the Coordinating Committee by default, i.e., states should take a year off after serving as coordinator for one area before it could serve again.

Proposal 4

- It should remain open whether contributions to the ISU are voluntary or mandatory.
- The President's Executive Coordinator requested additional input from the Friends on what they regard as desired functions, tasks and activities from a future implementation support unit, including what type of skills/expertise the ISU should have in-house.
- The ISU staff level positions should be less prescriptive. Drawing up a list of desired tasks and main activities of the ISU should be drawn up before its final scope and structure is decided. As such, staff profile and staff levels should come as an effect of the ToRs desired for an ISU. It was argued that an ISU can be 'as big as' or 'as basic as' desired with regards to its ToRs and that this should be the initial focus for discussions. Reference was made to the role of the ISU for the CCW which include support to the President and office holders and organisation of meetings whereas the APMBC ISU has had a much broader scope in assisting States Parties. An ISU tasks should complement and not duplicate roles and activities of other actors.

Proposal 5

- The future location of an ISU was inconclusively debated with suggestions ranging from putting additional options on the table to choosing among the 2 proposed in the revised draft, i.e. hosted by the GICHD or establishing an independent Association, to adding the option of UN ODA.
- General comments included that options for an ISU should start to be narrowed down with only one proposal tabled at the MSP for debate as a debate on several options was in no way desired at the MSP. It was further argued that time was short and that it was imperative to make a good decision rather than a hurried decision wherefore there could be solid arguments for postponing such decision to the 3MSP whilst others stressed the necessity for a decision at the 2MSP.
- The discussion and drafting of ToRs for an ISU was raised again and referenced also to the recent submission of initial Article 7 reports that should provide an indication of the scope of an ISU. These elements should then lead towards the desired mandate of an ISU. Once this can be established one could foresee a discussion with potential hosts of their capacity, interest and role in hosting the ISU. It was further stressed that the process needs to be democratic and transparent and that consultations with all States Parties needed to start now if a decision were to be expected at the 2MSP.
- A non-paper was presented on the *Possible legal basis for an Implementation Support Unit (ISU) in Switzerland* as a basis for discussion on Option 2 of Proposal 5 of the revised draft President's Paper on the Implementation Architecture and intersessional work.

Ambassador Yong requested Friends to send comments directly to Canada for further refining the paper.



Progress reporting - Lao PDR and Norway

As Friend on matters pertaining to the General Status and Operations of the Convention, Norway has been requested to coordinate the input and prepare a progress report on the Vientiane Action Plan for presentation at the 2MSP. Further guidance on work flow, format and input would be provided to Friends and States Parties shortly.

Article 7 reporting – Belgium

As Friend on matters pertaining to Reporting and the Article 7 template Belgium announced that, as of 1st February, 19 States Parties and 1 signatory state had submitted initial Article 7 Transparency Reports and gave an overview of the reports which will be circulated with the minutes of the meeting. On 12 January, the Executive Coordinator circulated a friendly reminder signed by Deputy Head of Non-proliferation and Disarmament Department of the Federal Public Service for Foreign Affairs of Belgium to the 30 States Parties with deadline for the initial Article 7 Transparency Report on 28 January 2011. Such reminders will be sent out on regular basis to States Parties concerned. Belgium stated the intention to hold a meeting following the upcoming open-ended consultation to inform about the reporting.

The Executive Coordinator said that based on a quick review of submitted reports a certain degree of inconsistency was found with regards to, in particular; what goes in the report, which section it is applied to, the time period for which a State Party is reporting, where to place reporting on activities that took place before entry into force and reporting on weapons other than cluster munitions. She suggested that this should be reviewed with the aim of a possible clarification of the template and that feedback could be provided on a general basis as support and encouragement for future States Party reporting. A discussion on a possible guidance note for reporting was also suggested.

CMC said that it had sent letters together with the Monitor to the majority of States Parties that are required to submit reports and have heard back from an additional 5 states that were in the progress of sending in their reports. CMC also said that members of the campaign and Monitor are going through the reports and would be interested in contributing to suggested guidance notes.

Update on planning and organization of 2MSP - Lebanon

Ambassador Assaker reported from a successful mission to Beirut undertaken by the Lebanese mission in Geneva, UNDP, UN ODA, Norway and CMC. The delegation met with all higher offices in Beirut including the Speaker of Parliament. A number of very positive meetings were held establishing the way forward for the planning and preparations of the 2MSP. She said that a decision had been taken to divide the work between a series of committees including on: logistics, organisation, resources, communications, procedural matters, substance, and that initial discussions had been held on all of these matters.



Universalisation

As Friend on matters pertaining to Universalization, Japan said that it took advantage of a gathering in Tokyo of 13 countries from the region to promote the Convention and ask about progress towards joining. Japan further proposed a joint letter with Lebanon to all states in advance of the 2MSP. Lao PDR said that at an upcoming Non Aligned Movement meeting, 23-27 May in Indonesia, it will propose a paragraph on the CCM for inclusion in the draft declaration.

AOB

To inform all states on the progress of work and ensure that signatories have all information available, the Executive Coordinator suggested an open ended consultation take place on Thursday 24 February, 13.00-15.00. This was agreed. Tentative date for the next Friends meeting will be Tuesday 15 March. Germany has offered to host the next meeting of Friends at their mission to the UN in Geneva.

Action points:

- Presidency to refine draft agenda for intersessionals
- Friend of General Status and Operation of the Convention, Norway, to provide guidance to States Parties and Friends on the on work flow, format and input to the Progress Report
- Friend on matters pertaining to the President's Paper on Implementation Architecture and Intersessional Work, Canada to revise the draft based on input from meeting.
- Friends to provide input to Executive Coordinator on suggested functions of the ISU
- Executive Coordinator to initiate drafting of tentative functions and activities of an ISU
- Executive Coordinator to follow up with Belgium on guidance note on Article 7 reporting
- Executive Coordinator to circulate minutes from the 1 February Friends meeting, updated contact list for Friends and the status of Article 7 reports

Friends meeting, 1 February 2011, 13:00 – 15:00

Belgian mission to the UN. A light lunch will be served

Draft agenda

1. **Agenda** for the intersessionals – Lao PDR
2. **Progress reporting** - Lao PDR and Norway
3. **Draft architecture**, updated draft for discussion – Canada
4. **Article 7 reporting** – Belgium
5. **Update on planning and organization of 2MSP** – Lebanon
6. **AOB**