

CONCEPT NOTE FOR CCM CLEARANCE AND RISK REDUCTION EDUCATION (Afghanistan and Sweden)

Enhancing Implementation of Action 3 and the Dubrovnik Action Plan (Clearance and Risk Reduction Education) up the second review conference of States Parties.

1. Background

Under Article 4 paragraph 1 of the Convention on Cluster Munitions (CCM), each State Party undertakes to clear and destroy, or ensure the clearance and destruction of, cluster munition remnants located in cluster munition contaminated areas under its jurisdiction or control.

Furthermore, in fulfilling their obligations under paragraph 1, States Parties are required, according to paragraph 2, to survey, assess and record the threat, as well as assess and prioritize needs in terms of marking, protection of civilians, clearance and destruction and take steps to mobilize resources and develop a national plan to carry out these activities. They are also required to take all feasible steps to ensure that all cluster munition contaminated areas under their jurisdiction or control are perimeter marked, monitored and protected by fencing or other means to ensure the effective exclusion of civilians. The paragraph also requires that States Parties conduct risk reduction education to ensure awareness among civilians living in or around cluster munition contaminated areas of the risks posed by such remnants.

Eleven States Parties have reported contamination by cluster munition remnants and consequently have obligations under Article 4. As indicated in Article 7 reports submitted by those States, the level of contamination, the timelines to address it, and the need for cooperation and assistance varies. The Coordinators will therefore take a tailor-made approach when addressing the issue of Art. 4 implementation with a view to reaching the objectives set below, considering the specific situation of concerned States Parties.

2. Objectives

Urge state parties to fulfill their obligations under Article 4 of the Convention, as soon as possible, or by the treaty deadline

Urge states party to reach their deadline and with a view to avoiding, where practically feasible, extension requests,

Contribute to increased clarity, effectiveness and efficiency in clearance methodology

Contribute with input to the Second Review Conference

3. Work plan and expected output by the Second Review Conference

General:

The first two States were granted extension during 9MSP. At that meeting a methodology for future extension requests was also adopted. Even though States Parties have reaffirmed their commitment to fulfilling their clearance obligations under Article 4, some States Parties - despite their best of efforts to meet their deadlines - might need to seek extensions. The coordinators will focus their efforts on those States Parties that are approaching their article 4 deadline or where clarifications are needed. The coordinators will give the support to the 2RC presidency in the run up to the second review conference, focusing on the follow-up of the Dubrovnik action plan.

Country Specific:

1) CROATIA

Croatia has reported that is on track and that it will finalize its remaining clearance of less than 1 km² ahead of the deadline 1 August 2020. Croatia has confirmed to the coordinators that the country is on-track.

Action: The coordinators will continue to follow-up with Croatia to ensure that the country remains on track.

2) GEMANY

Germany has approximately 11 km² of contaminated land at the former military training area of the Soviet Armed Forces in Wittstock, Brandenburg. Germany reports that 2050 cluster munitions have been cleared. Due to the heavy contamination with unexploded ordnances the area will remain closed for the public. At the 9MSP meeting in September 2019, Germany was granted a 5-year extension of its clearance deadline until 1 August 2025. The current clearance rate is 150-200 hectares per year. Germany will continue to keep States Parties updated through the article 7 report on progress of clearance, remaining contamination as well as providing detailed planning for the subsequent year/years.

Action: Follow-up on Germany's article 7 report at the intersessional meeting in May.

3) LAO PDR

Lao PDR has an estimated 8,470km² of contaminated land. LAO PDR has the world's highest level of contamination by unexploded submunitions. The current clearance capacity is approximately 5000 hectares annually. A total of 518,368 cluster munition remnants have been destroyed. At the 9MSP meeting in September, Lao PDR was granted a 5-year extension of its clearance deadline until 1 August 2025. Through its article 7 report Lao PDR undertakes to continue to report on progress on clearance, remaining contamination. Lao PDR will also provide updated detailed annual plans for implementation based on survey activities, as well as provide information on mobilization of resources and support to victims. LAO PDR has expressed an interest in establishing a country coalition.

Action: Follow-up on LAO PDR's article 7 report at the intersessional meeting in May. Coordinator will liaise with the coordinators on Cooperation and Assistance in order to facilitate the establishment of a country coalition.

4) MONTENEGRO

Montenegro has reported that it is on track and that it will finalize the clearance of its remaining contamination of 1,72 km² by the deadline 1 August 2020. This has been confirmed by the representative of Montenegro in Geneva.

Action: Coordinators will continue to follow up with Montenegro to ensure that they remain on track.

5) BOSNIA AND HERZEGOVINA

BiH has a remaining contamination of approximately 7 km². 2,7 km² of the contaminated land is the result of individually launched KB-1 submunitions fired from AK-47-rifles, which falls outside the scope of the convention. NPA in Sarajevo has informed that BiH will not ask for an extension. This has been confirmed by representatives from BiH in Oslo. BiH states that it has submitted in an article 7 report, but no such report is posted on the UNOG database.

Action: Coordinators will continue to follow up with BiH to ensure that they remain on track as well as follow up on the article 7 report.

6) CHILE

Chile has reported that it has contaminated areas in military training ranges covering approximately 97 km². The areas are still used for military training and not open to the public. It has not reported any survey or clearance of the contaminated area, nor has it provided a plan to do so. Therefore, Chile would have to provide clarifications on how it intends to proceed with clearance. If Chile believes that it will not be able to meet the clearance deadline 1 June 2021, it needs to prepare an extension request. An extension request should be sent in 9 months prior to 2RC in 2020. The representative of Chile in Geneva has informed the coordinators that Chile most likely will demand an extension.

Action: The coordinators will follow-up on Chile's clearance plans and the likely forthcoming extension request. The extension plan needs to be sent in no later than 1 February 2020.

7) CHAD

The intensity of land contamination is still uncertain. In October 2017, the Protection sociale, Déminage des terres et voies de communication et Développement économique (PRODECO) Project was launched, but so far, no contaminated land has been cleared. In addition, Chad reported that it has not stockpiled any cluster munitions, however, containers have been found in the Tibesti and Ouaddai which suggests that a cluster strike may have occurred leading to possible contamination. Chad declared the need of international assistance in the creation of a Non-technical Survey through financial, logistic and human resources. The deadline for clearance is September 2023.

Action: Coordinators will speak with Chad and encourage the state party to provide a detailed report regarding contaminated areas and provide more clarification concerning EU

assistance. Coordinators will contact EEAS delegation in Geneva and in Chad to follow up on the assistance given and if it can cover a survey on cluster munition remnants.

8) LEBANON

Based on the draft extension request submitted to the ISU, Lebanon has a remaining contamination of 9.91 km² with a deadline for clearance on 1 May 2021. Clearance operations are reportedly slowed down by the discovery of new contaminated area, bad weather conditions, difficult terrains and shift in financial assistance. Lebanon will therefore not be able to meet its deadline on time. Lebanon has submitted a formal extension request.

Action: An analysis of the extension request will be undertaken on the basis of the methodology adopted at the 9 MSP. An analysis group will be established for this purpose.

9) AFGHANISTAN

As per the National Mine Action database of Afghanistan, seven sites with an area of 5.5 square kilometers are still contaminated by cluster munitions in 2 out of 34 provinces of Afghanistan. Afghanistan has planned to clear the contaminated areas and declare Afghanistan free from cluster munitions before the 10th Meeting of States Parties to the Convention on Cluster Munitions. After contacts with Kabul, the coordinators have been informed that reaching the deadline is depending on donor funding.

Action: Coordinators will encourage Afghanistan to report the progress of the planned project and follow-up. Coordinators will liaise with the coordinators on International cooperation and assistance and explore possible support from donors.

10) SOMALIA

Somalia joined the CCM in 2015 and submitted its overdue initial transparency report which was due in September 2016 in October 2019. There is still information missing in the report that Somalia needs to reflect.

Action: Coordinators will talk with Somalia preferably on the sidelines of 4th Review Conference in Oslo and the National Mine Actions Directors Meeting to encourage them to provide additional information in its 2019 Article 7 report due on 30 April 2020.

11) IRAQ

Iraq has indicated that still it has contaminated area. In order to fulfill its obligation under Article 4 and meet the deadline 2023. Iraq signals that it needs international cooperation.

Action: Coordinators will talk with Iraq preferably at the National Mine Actions Directors Meeting to encourage them to considering establishing a Country Coalition.

Timeline

Last quarter of 2019

- At the margins of CCW in November; Confirm that **Croatia** and **Montenegro** are on track. Follow-up extension requests of **Lebanon** and **Chile**
- In Oslo during the 4th review conference of the mine ban convention: Follow up extension with **Lebanon**, ask **Bosnia Herzegovina** to provide its 2018 article 7 report.
- Follow-up on Chile's extension request

First quarter of 2020

- Analysis of the extension requests provided by Lebanon and Chile
- Present work plan to the coordinating committee
- Meet with the previous coordinators
- At the directors meeting in February; Clarify the situation of **Chad**. Somalia still needs to send in updated information. Follow-up any outstanding queries with concerned states parties during the NMDM.
- Discuss progress in **LAO PDR**, **Iraq** and **Afghanistan** possibly together with the Coordinators on International Cooperation and Assistance
- Provide the president with input to the review document for the 2RC.
- End of February / early March 2020: meeting with **ISU** to discuss progress on Coordinators' Work Plan and update Concept Note accordingly.

Second quarter of 2020

- Prepare documentation for the extension requests
- Follow up any outstanding obligations with concerned states at the May intersessional meeting.
- Informal dialogue with **Germany** on their article 7 report
- Informal dialogue with **Lao PDR** on their article 7 report
- Continue working on input for the 2RC

Third quarter (July to Sept 2020)

- Prepare documentation for the extension requests
- Prepare documentation for the 2RC

Fourth quarter (Oct to 2RC in late Nov)

- Finalize documentation on extension requests and the 2RC.
- Contribute to possible side events.