

## CCM STOCKPILE DESTRUCTION CONCEPT NOTE:

### Enhancing Implementation of Action 2 of the Dubrovnik Action Plan (Stockpile Destruction) up to the 9<sup>th</sup> Meeting of States Parties (9MSP)

#### 1. Background to Work Plan Context

Under Article 3 of the Convention on Cluster Munitions, each States Party is required to declare and destroy all stockpiled cluster munitions under its jurisdiction or control as soon as possible, but no later than eight years after entry into force for that State Party. Article 6, paragraph 5 of the Convention requires that each State Party in a position to do so shall provide assistance for the destruction of stockpiled cluster munitions.

By the 8MSP in September 2018, there remained only 7 States Parties with obligations under Article 3: Botswana, Bulgaria, Guinea Bissau, Peru, Slovakia, South Africa and Switzerland. Of these states, Botswana and Switzerland have indicated that they will have completed destruction of stockpiles likely by December 2018 – both ahead of their December 2019 and January 2021 deadlines, respectively.

However in the period up to the 9MSP, the Coordinators intend to especially focus their attention on those States Parties with completion deadlines in 2019: Botswana (1<sup>st</sup> December 2019), Bulgaria (1<sup>st</sup> October 2019) and Guinea Bissau (1<sup>st</sup> May 2019).

To guide States Parties effectively implement the Convention during the period 1 January 2016 to 31 December 2020, at the September 2015 First Review Conference of States Party to the CCM, States agreed to the five year Dubrovnik Action Plan (DAP). The DAP elaborates the priorities established by the States Parties through the various actions to be undertaken and the expected key results to be derived from these actions. **Destruction** of cluster munitions stockpiles is the **Action 2 of the DAP** and will provide the primary basis on which this concept note's activities to achieve the outlined objectives will be derived.

Action 2 of the DAP encourages States Parties with stockpile destruction obligations to develop a resourced plan, apply an appropriate approach to retention and increase exchanges of promising practices. States Parties that have complied with the obligations are also encouraged to announce their compliance and increase exchanges of promising practices with those still with commitments. All States Parties are required to act upon any unexpected developments regarding previously unknown stockpiles of cluster munitions.

## 2. Objectives

- Liaise with the 3 States Parties with completion deadlines in 2019, so as to ensure that they comply with their individual obligations within the prescribed Convention timeframe.
- Encourage the 4 States Parties - Peru, Switzerland, South Africa and Slovakia - with upcoming deadlines beyond 2019 to report on progress achieved to facilitate timely completion.
- Facilitate increased levels of reporting on matters pertaining to Article 3 implementation.
- Facilitate increased exchange of information on good and cost effective stockpile destruction practices including on safety, environmental impact and efficiency
- Interact with the States Parties that have retained cluster munitions for the permitted uses under Article 3, as to continue to provide updated information on this use, as required under the Convention; .
- Encourage States that complete destruction of stockpiles to declare compliance with Article 3, through the Declaration of Compliance template adopted by the 8MSP.

## 3. Strategy

- Focus on the 1 State Party - Guinea Bissau - which has not provided any information on progress regarding its current obligations under Article 3 and whose deadline is in 2019;
- Work urgently with Bulgaria which has a deadline of 1 October 2019 to ensure that by **15 December 2018**, it has provided clarity on progress made thus far and confirm if it is on track. If not, it must submit an extension request by end of December 2018;
- Liaise with Botswana which reported possible completion by **December 2018** to ensure that it is on track to meet this objective;
- Follow up on Switzerland's prospects of completion of Article 3 by **December 2018**, well ahead of her 2021 deadline and encourage then to submit a Declaration of Compliance;
- Follow up with Peru to ensure that it is on track to meet its 1 May 2021 deadline but if not to likely to complete by then, to encourage that it submits an extension request by **1 December 2019**;
- A small number of States Parties that are believed to have stockpiled cluster munitions at some point in time (based on publicly available information) and that have not yet submitted an initial transparency report are encouraged to do so;
- Facilitate the development of partnerships/Country Coalitions and increase exchanges of promising practices among the target States Parties, States Parties that have completed the destruction of stockpiles, donor States and international

operators to support those states needing assistance with Article 3 obligations. This would be done through outreach activities (letters, emails, phone calls), desktop analysis, drafting of summaries and effective use of existing electronic and web-based dissemination tools;

- Engage bilaterally to identify obstacles to stockpile destruction in the target States Parties and explore ways to overcome them in a collaborative manner through outreach activities such as sending letters and/or emails, organizing meetings with Geneva-based stakeholders or capital-based representatives in the margins of other key disarmament events up to the 9MSP;
- Contact bilaterally or through formal correspondence States Parties that have retained cluster munitions but have not provided adequate information on their use as required under Article 3.8 and Action 2.3 of the DAP.

#### 4. Expected Outputs

- That all States Parties with Article 3 obligations have provided an update on their Article 3 obligations through their Article 7 transparency report;
- That by the 9MSP the 3 States Parties (Botswana, Bulgaria and Guinea-Bissau) with deadline in 2019 have provided concrete evidence that they are on track to comply with their obligations or have shared a definitive plan on how to comply with their commitments;
- That States likely to miss their 2021 deadlines have submitted an extension request by 1 December 2019
- That the States that have finished the destruction of stockpiles exchange relevant information on good and cost effective stockpile destruction practices;
- All the 13 States Parties that have retained submunitions in accordance with Article 3.8 of the Convention extensively report on the past and planned use of retained munitions, through their Article 7 reports.

#### 5. Timelines

- Focus on 1 State Party – Guinea-Bissau - which has not provided information on progress regarding its current obligations under Article 3 and whose deadline is in 2019 – **15<sup>th</sup> December 2018 (letter to be sent through their Permanent Mission to New York);**
- Work with the other 2 State Parties (Botswana and Bulgaria) with 2019 deadlines to ensure that by 9MSP both have completed destruction of their stockpiles;
- In cases where States Parties were believed to have stockpiled cluster munitions at some point in time (based on publicly available information) and have not yet submitted a transparency report will be encouraged to do so - **by 15<sup>th</sup> December 2018 (letters/bilateral meetings);**
- Facilitate the development of partnerships and increase exchanges of promising practices among the target States Parties, States Parties that have finished the destruction of stockpiles, donor States and international operators through outreach activities (letters, emails, phone calls), desktop analysis, drafting of

summaries and effective use of existing electronic and web-based dissemination tools – **up to 9 MSP**

- Identify obstacles to stockpile destruction in the target States Parties and explore ways to overcome them in a collaborative manner through outreach activities such as sending letters and/or emails, organizing meetings with Geneva-based stakeholders or capital-based representatives in the margins of other key disarmament events during the year – **up to 9 MSP**
- Contact bilaterally or through formal correspondence States Parties that have retained cluster munitions but have not provided adequate information on their use as required under Article 3.8 and Action 2.3 of the DAP – **by 15<sup>th</sup> February 2019**

**6. Estimated Budget**

Limited costs, depending on the strategy adopted.

**7. Strategy Implementers**

- Mozambique - Coordinator on Stockpile Destruction
- Austria - Coordinator on Stockpile Destruction
- CCM Implementation Support Unit

**8. Potential Implementing Partners**

- States Parties and signatory States that have fulfilled obligations under Article 3
- Donor States
- International NGOs / operators
- Aid agencies