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# Convention on Cluster Munitions

5 September 2011

English only

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## Second Meeting of States Parties

Beirut, 12-16 September 2011

Item 8 of the provisional agenda

### Provisional Annotated Programme of work

#### Submitted by the President

#### Tuesday 13 September

**10:00-13:00**

#### Item 1 of the provisional agenda

##### Opening of the meeting

1. President of the First Meeting of States Parties to the Convention on Cluster Munitions, Deputy Prime minister and Minister of Foreign Affairs of Lao People's Democratic Republic, Dr. Thongloun Sisoulith presides over the election of the President of the Second Meeting of States Parties.

2. The President of the Second Meeting of States Parties to the Convention on Cluster Munitions, Minister of Foreign Affairs and Emigrants of Lebanon, Dr. Adnan Mansour makes opening remarks outlining his expectations for the Meeting and the time period of his Presidency.

3. In the spirit of partnership, which has been the hallmark of this Convention, the President will first invite four speakers to address the plenary:

Mr. Sergio de Quiroz Duarte, High Representative for Disarmament Affairs, United Nations

Ms. Christine Beerli, Vice President, International Committee of the Red Cross

Mr. Branislav Kapetnovic, spokesperson of the Cluster Munition Coalition

Ms. Berri, Representative of civil society in Lebanon, Association de bien-être des personnes handicapées, Lebanon

##### Procedural issues

4. The President oversees the adoption of the Agenda for the Second Meeting of States Parties of the Convention on Cluster Munitions and the rules of procedure.

5. Confirmation of the Secretary-General of the Meeting and election of the Vice-Presidents and other officers.
6. Adoption of arrangements for meeting the costs of the Meeting
7. The President introduces draft documents and key draft decisions:
  - (a) The Beirut Declaration, by Lebanon
  - (b) Beirut Progress Report: Monitoring progress in implementing the Vientiane Action Plan from the First up to the Second Meeting of States Parties, by Lao PDR
  - (c) Work plan 2012 and draft decisions

**Item 3 of the provisional agenda**  
**General exchange of views**

8. During this session States Parties, signatories, States not Party, international organisations and civil society organisations are invited to make statements of a general nature. Areas that States may wish to cover could be:
  - (a) political commitments,
  - (b) universalisation,
  - (c) implementation of the Convention, and
  - (d) expectations for the 2MSP.

**15.00-18.00**

**Item 3 of the provisional agenda**  
**General exchange of views (cont.)**

**Wednesday 14 September**

**10:00-13:00**

**Item 10 of the provisional agenda**  
**General status and operation of the Convention:**

*Universalization*

9. The President will call on the distinguished delegate of Japan in its capacity as Friend of the Chair to report back on the status and activities with regards to universalization since the 1MSP.
10. State Parties are encouraged to provide an update on the activities they have undertaken to promote universal adherence to the Convention, e.g. bilateral meetings, workshops, letters, advocacy missions, diplomatic notes, etc.
11. Signatories are invited to provide an update on their domestic process to ratify and deposit their instrument of ratification.
12. This is also an opportunity for States not Party and other delegations to voice their support for the Convention and to set out their current status vis-à-vis the Convention, e.g. currently studying the Convention, have an intention to join in the future, etc.

*Storage and stockpile destruction:*

13. The President will call on the distinguished delegate of Germany in its capacity as Friend of the Chair to report back on the status and activities with regards to storage and stockpile destruction.

14. States Parties and observer States are encouraged to give an update on their efforts to:

(a) separate cluster munitions from operational stocks and mark them for destruction; and

(b) develop plans for destruction, including an assessment of resource requirements, a budget and a timeline

(c) carry out destruction of stockpiles, with a view to completion as soon as possible.

15. States Parties and observer States are encouraged to give their views on Article 3, paragraph 6 with regards to retention and acquisition of cluster munitions for the purposes of development and training. States Parties and signatories that have the intention to retain or acquire cluster munitions under this provision are encouraged to provide:

(a) their rationale for retention / acquisition and plans for use of retained / acquired cluster munitions; and

(b) the numbers and types of cluster munitions retained / acquired for these purposes.

16. Other delegations are invited to provide their views on issues pertaining to storage, stockpile destruction and retention.

**15:00-18:00**

**Item 10 of the provisional agenda****General status and operation of the Convention (cont.):***Clearance and risk reduction*

17. The President will call on the distinguished delegate of Australia in its capacity as Friend of the Chair to report back on the status and activities with regards to clearance and the destruction of cluster munitions remnants and risk education.

18. States Parties and observer States that are affected by cluster munition remnants are encouraged to provide an update on their plans, priorities and progress towards clearance and risk education. This should include efforts to identify as precisely as possible the location and size of all contaminated areas, survey, assess and record the threat posed by cluster munition remnants and assess and prioritize needs.

19. Delegations should also highlight the resource requirements and possible gaps and the challenges they may face in meeting their obligations under Article 4.

20. Other delegations are invited to provide views on the implementation of Article 4.

21. Delegations may wish to raise points concerning the development of new technologies in the field of cluster munitions clearance.

*Victim assistance:*

22. The President will call on the distinguished delegate of Austria in its capacity as Friend of the Chair to report back on the status and activities with regards to Victim Assistance.
23. States Parties and observer States that have cluster munition victims under their jurisdiction and control are encouraged to provide an update on their efforts to provide age- and gender-sensitive assistance, including medical care, rehabilitation and psychological support, as well as provide for their social and economic inclusion.
24. Other delegations are invited to provide views on the implementation of Article 5.

## **Thursday 15 September**

**10:00-13:00**

### **Item 10 of the provisional agenda**

#### **General status and operation of the Convention (cont.):**

*Transparency Measures:*

25. The President will call on the distinguished delegate of Belgium in its capacity as Friend of the Chair to report back on the status and activities with regards to Reporting.
26. Under this agenda item, delegations may wish to give views on the reporting format, the importance of transparency reporting, to present any transparency measures or reporting that they have already undertaken, or to provide information on any difficulties they may be encountering with transparency reporting.

*National implementation measures*

27. The President will call on the distinguished delegate of New Zealand in its capacity as Friend of the Chair to report back on the status and activities with regards to national implementation measures.
28. Under this item, States Parties are encouraged to provide an update on the specific implementation measures they have taken or plan to undertake under Article 9 of the Convention. In particular, States Parties are invited to share their experiences with national legislation for the Convention.
29. Other delegations with an interest in national implementation measures are also invited to present views here.

*Workplan for 2012*

30. The President will provide some introductory remarks with regards to draft decisions, the implementation architecture and intersessional work in 2012.
31. Under this agenda item, delegations are invited to give views on the work plan for 2012 and draft decisions as they pertain to the implementation architecture and intersessional work.
32. The suggested host and President-designate of the Third Meeting of States Parties will be invited to make a brief presentation of plans for the Third Meeting of States Parties.
33. In addition the plans for the intersessional meetings in 2012 may be discussed here as well as any other plans for informal meetings of the Convention in 2012.

**15:00-18:00**

**Item 10 of the provisional agenda**

**General status and operation of the Convention (cont.):**

*Cooperation and Assistance:*

34. The President will call on the distinguished delegate of South Africa in its capacity as Friend of the Chair to report back on the status and activities with regards to cooperation and assistance in accordance with Article 6 of the Convention.

35. States Parties and signatories seeking assistance are encouraged to provide an update on the measures they are taking to facilitate the provision of assistance by other States and to promote cooperation between States and other actors giving and receiving assistance.

36. Under this agenda item, States Parties in a position to provide assistance are encouraged to respond to the needs and gaps identified by States in the preceding sessions on victim assistance, clearance, stockpile destruction and risk reduction. Delegations are encouraged to provide information on how they envisage providing assistance.

37. Other delegations are also invited to present views on cooperation and assistance.

**Friday 16 September**

**9:00-12:00**

**Item 10 of the provisional agenda**

**General status and operation of the Convention (cont.):**

*Compliance:*

38. Article 8 of the Convention addresses the 'Facilitation and clarification of compliance'. If any State Party has a concern regarding compliance with the Convention by another State Party, that State Party may submit a 'Request for Clarification' to the Secretary-General of the United Nations. It is not envisaged that any 'Requests for Clarification' will be submitted, so this agenda item should be brief.

39. States Parties and signatories may also wish to share their views on interpretation of provisions of the Convention.

40. Article 10 of the Convention deals with 'Settlement of disputes'. It is not envisaged that there will be any disputes amongst States Parties at the Second Meeting of States Parties, so this agenda item should be brief.

*Extension requests:*

41. States Parties may request an extension to their deadlines for the destruction of stockpiled cluster munitions and the clearance of affected areas. It is not envisaged that there will be any requests for extensions from States Parties, so this agenda item should be brief.

**Item 12 of the provisional agenda**

**Any other business**

42. This is an open agenda item that provides an opportunity for delegations to raise any other matters that do not fall under the other agenda items. It would be preferable for any delegation wishing to take the floor during this agenda item to submit a request to the

Presidency asking for the floor and indicating the topic they may wish to raise. States may also wish to include items under “Any other business” in their general statements provided earlier in the agenda.

**14:00-17:00**

**Item 13 of the provisional agenda**  
**Consideration and adoption of the final document**

43. The Presidency will make a final presentation of the outcome documents of the Second Meeting of States Parties. The President may call on respective Friends to report on the results of any consultations undertaken. This is the opportunity for those delegations wishing to make any final remarks relating to the outcome documents to do so.

**Item 14 of the provisional agenda**  
**Closure of the Second Meeting of States Parties**

*Concluding remarks and looking ahead*

44. This agenda item provides for the Presidency to close the meeting, presenting some concluding remarks and looking ahead to the work of States Parties and other delegations in 2012, including towards the Third Meeting of States Parties.

45. The host and President-designate of the Third Meeting of States Parties may be invited to speak during this closing session, together with key partners from civil society and international organisations at the discretion of the Presidency.

*Meeting ends*

Questions that you may wish to consider in preparations for the Second Meeting of States Parties in Beirut that have been identified in the Beirut Progress Report.

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*Universalisation*

**Increasing the membership of the Convention**

- *What steps can be taken to encourage more signatories to ratify the Convention as soon as possible, in light of the obstacles identified in the BPR?*
- *What steps can be taken to encourage States not Party to accede to the Convention, in light of the obstacles identified in the BPR?*
- *What are the actual and specific resource needs for states interested in joining the Convention, but concerned about the financial and other implications, and how can international assistance and cooperation help to address such needs?*
- *Is it feasible to develop a fast-track approach to facilitate accession by small states with no operative obligations (under Articles 3, 4 and 5) under the CCM?*

**Reinforcing the norms**

- *How should States Parties to the CCM, individually and as a community and represented by the President, best respond to allegations of use by a State not Party to CCM?*
  - *How can States Parties best cooperate with civil society and the UN in situations of reported use?*
  - *What are the most effective ways to discourage in every way possible all use, development, production, stockpiling and transfer of cluster munitions?*
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Storage and Stockpile Destruction

*A key challenge is to start the physical destruction of cluster munitions as soon as possible and in accordance with Action #8.*

- *What are the main obstacles to start the destruction of cluster munitions?*
  - *How can the encouraging momentum on destruction reported by States Parties with large stockpiles be maintained?*
  - *How can States Parties and other actors best cooperate with relevant organisations to ensure adequate assistance for the completion of stockpile destruction obligations?*
  - *How can States Parties most efficiently support destruction of small/limited stockpiles of cluster munitions?*
  - *How can States Parties ensure that the amount of retained submunitions does not exceed the minimum number absolutely necessary?*
  - *How can States Parties best make use of the reporting requirement under Article 3.8 to ensure that the possibility to retain cluster munitions does not result in de facto stockpiling?*
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Clearance and Risk Reduction

*A key challenge for States Parties with Article 4 obligations is to develop comprehensive national strategic plans that apply effective, context-specific and appropriate land release methods. The discussion paper on clearance and land release submitted by the thematic Friend includes a set of recommendations that states may take to this effect. Another challenge is the identification and mobilisation of resources for Article 4 implementation that some States Parties have reported to be an obstacle.*

- *Which steps should States Parties take to develop cost-efficient and tailored plans, meeting the specific problem in each affected country and area?*
  - *What are the obstacles to implement the recommendations in the land release paper and what can be done to overcome them?*
  - *How can States Parties best address the problem in countries with a limited contamination, where there might be no need for building a national capacity nor develop and adopt separate standards?*
  - *How can States Parties, demining operators and civil society ensure that actions and recommendations for the implementation of Article 4 are coherent and coordinated?*
  - *What could be done to obtain a realistic overview of the global magnitude of cluster munitions contamination?*
  - *What actions can be taken to ensure clearance of cluster munition remnants in areas where jurisdiction and control is disputed?*
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Transparency Measures

*A key challenge is to improve the varying quality of the reports, which have ranged from highly detailed and comprehensive to lacking in required information or difficult to extract information from.*

- *What steps should be taken for States Parties to ensure that high quality information is given? How to ensure a coherent understanding of the reporting measures?*
  - *How to use the reporting as a tool for assisting and cooperating in implementation, particularly where States Parties have obligations under Article 3, 4, and 5?*
  - *How to ensure that the reporting effectively communicates the extent of the remaining challenges on clearance and stockpile destruction.*
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Victim Assistance

*The key challenge for States Parties is to ensure the full realization of the rights of all cluster munition victims and their economic and social inclusion. A second challenge is to ensure a needs-based approach which takes priorities on the ground into account, but also to ensure the most efficient use of resources.*

*A third challenge is sustainability, as victim-assistance often means life-long services. National ownership and capacity building are needed, as non-governmental organizations cannot guarantee services in the long-run and as barriers affect all persons with disabilities, regardless of the cause of their disability. The wider society benefits from Victim Assistance efforts and advocacy.*

*A fourth challenge is the integration of Victim Assistance efforts into the wider development and disability spheres and maximizing the opportunities of a holistic approach towards various instruments of IHL that deal with victims of conventional weapons, while ensuring that the specific obligations under the CCM are met.*

- *What progress has been made on specific actions with explicit timelines of the VAP?*
  - *Which barriers prevent access to services for cluster munition victims and what plans are being developed to remove them?*
  - *What are national endeavors to develop/or adapt national plans and budgets, linking activities to other applicable VA related instruments of the IHL, to enhance practicality and effectiveness?*
  - *How could States Parties better include survivors in the planning, priorities and implementation of victim assistance?*
  - *How could States Parties report on their implementation of the time bound Action #26 and its review of national laws and policies, and the steps taken to ensure that by the Review Conference, all national laws and policies meet the needs and protect the human rights of victims, without discriminating on the basis of the victims disabilities' or the cause of it?*
  - *What steps have States Parties taken to begin reviewing the availability, accessibility and quality of different services to victims, in order to identify and address any barriers preventing access to these services for cluster munitions victims?*
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National implementation measures

*The main challenge under national implementation measures is to ensure that all states swiftly develop and adopt whatever legislation is required for the effective implementation of the Convention.*

- *What are the factors preventing greater progress in national implementation and what assistance might States Parties need to facilitate their adoption of implementing legislation?*
  - *Which steps can a State Party take to inform all relevant national actors, including its armed forces, and in the context also of joint military operations with States not party, about its obligations under the Convention on Cluster Munitions? - Where are victim assistance synergies reasonable and practical?*
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Cooperation and Assistance

*One challenge is that States Parties with obligations under Article 3, 4 and/or 5 and with needs for international cooperation and assistance should develop comprehensive plans identifying accurate needs, extent of the problem, priorities and timelines, and communicate these to the Convention community. States and other actors providing support for implementation of the Convention should engage with those states with needs and structure their support according to such plans.*

- *How could the partnerships between donor countries, affected countries and the mine action community improve, in order to increase efficiency and ensure an integrated and results-focused approach to stockpile destruction, clearance and victim assistance?*
  - *Which steps can States Parties take to ensure a broad and long-lasting engagement on international assistance and cooperation which is not only limited to funding, but also may include exchange of equipment technology, skills and experience (e.g. south-south cooperation)?*
  - *How can States Parties ensure that gender and diversity issues are mainstreamed in order to secure efficiency and effectiveness?*
  - *What can be done to better take advantage of lessons learned and best practices, both among donor and affected countries?*
  - *As all States Parties could potentially be in a position to provide support in accordance with Article 6 of the Convention, how could a larger number of States Parties be mobilised to implement Actions # 37-42?*
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Compliance

*A key challenge under compliance is how States Parties and the President should deal with future compliance concerns.*

- *How should States Parties address the issue of non-compliance in the future?*
  - *Which steps could States Parties take to better promote compliance with the norms established by the CCM?*
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