

*2<sup>nd</sup> Meeting of the CCM Coordination Committee*

*Tuesday 8 November*

**Minutes and Action Points**

**List of Attendees:**

- Lebanon (President),
- Norway (President-Designate),
- Zambia (General Status and Operation of the Convention in 2012 and 2013)
- Japan (Universalisation in 2012)
- Portugal (Universalisation in 2012 and 2013)
- Austria (Victim Assistance in 2012)
- Lao PDR (Clearance and Risk Reduction in 2012)
- Ireland (Clearance and Risk Reduction in 2012 and 2013)
- Germany (Stockpile Destruction and Retention in 2012,)
- Croatia (Stockpile Destruction and Retention in 2012 and 2013)
- Spain (Cooperation and Assistance in 2012, and for 2012 and 2013)
- Mexico (Cooperation and Assistance in 2012, and for 2012 and 2013)
- Belgium (Transparency Reporting in 2012 and 2013)
- New Zealand (National Implementation Measures in 2012 and 2013)
- CMC
- ICRC
- UNODA
- UNDP in capacity of Exec Coord team

**Intro by President**

- welcomed those present to this 2<sup>nd</sup> Coordination Committee meeting, including those colleagues returning from New York's Committees.
- update since last; undertaking a courtesy visit to the GICHD to establish a first contact with the Director, presenting the mandate given to her by States Parties at the 2<sup>nd</sup> MSP in Beirut, namely; to negotiate, in consultation with the SPs, an Agreement with the GICHD on the hosting of an ISU as well as a funding model, to be presented to SPs for their approval. Awaiting the official Final Report, the President delivered to him the draft decision and directive as adopted in Beirut. The President explained that this meeting was cordial and informative, and that she presented to the director the manner in which the Coordination Committee, as discussed and agreed in their previous meeting, intends to engage in the negotiations ahead. As such matters of substance were not discussed as the President referred to upcoming consultations within the CorCom in terms of a workplan outlining the timeline and sequencing of matters. She also informed that this would be clearer after this next CorCom meeting, upon the return of many colleagues from the Committees in New York. Since the last meeting, the President had also met with the former and the next President of the MSPs in Vientiane and in Oslo, to seek their views with regards to the way

forward.

- In the last CorCom meeting members had discussed the setting up of working groups to lead the thematic work forward, in particular, looking at the time line ahead and plans for the work in preparation for the intersessional meetings in April next year as well as how to capture the progress made into the anticipated Oslo Progress Report.

#### **Agenda Item 1** – Coordinators' Report Back on Plans to Establish Working Groups

- (Coord. Clearance & Risk Reduction): Letters are to be sent out to the following States, as well as all other affected countries, with regard to their potential participation in the working group on Clearance and Risk Reduction. Provisionally planning to hold the first meeting of the working group in February, in advance of the April CCM intersessional meeting. This possibility will be discussed further with the Executive Coordinator. It is envisioned that discussions of the working group will be based around the following questions:
  - How did Lao PDR work to achieve their clearance goals (sharing of experiences / best practices)?
  - How were resources mobilised for these aims?
- (Coord. Stockpile destruct.): Plan to consult other States and organisations on the fringes of the upcoming CCW meeting. Aim to hold the first meeting in late January / early February to begin drawing from shared experiences.
- (Coord. Gen. Status and Op.): Through consultations with Norway, the first step has been taken to determine whether a working group will be necessary for this thematic area of the Convention, given its overarching and general nature. Will continue to look into this question, most notably how to best avoid the duplication of efforts already being undertaken by other thematic coordinators.
- (Coord. Gen. Status and Op.): Also plan to examine the Beirut Progress Report, in order to work with the Exec Coord in identifying if and where improvements could be made in drafting the Oslo Progress Report, to be presented at the Third Meeting of States Parties next year.
- (Coord. Victim Assistance): Would like to reemphasize the need for broad inclusion in this group's membership, incorporating among others NGOs and affected States into the process. It is currently envisioned to establish a small core group, with the view to invite participation from a wider circle at a later stage.
- (Coord. Coop. & Assist.): Planning to send out information to all States Parties to the Convention to provide them with information on already existing programmes and practices

that are in place. As many States have begun the process of establishing national implementation measures, co-coordinators plan to pool information on these efforts together. A letter will be sent out to States Parties to request specific information on projects that are already being undertaken on the ground.

- (Coords. Coop. & Assist.): In doing so, the aim is to create a "Best Practices Catalogue" through the collation of this information. The letter that will be sent out to States Parties will request the contribution of a 'chapter' for the final document which could then be presented at the Third Meeting of States Parties. The Spanish Ministry has indicated that it would be willing to finance such a document.
- (Coord. Nat. Imp. Measures): Considering the Working Paper on model legislation that was tabled at the Second Meeting of States Parties, the content of this document could be taken further. Aiming to work with the ICRC to devise a set of comprehensive and consistent legislative measures, and would strive to work with the other Coordinators and the CMC to bring this work forward.
- (Coord. Universalization): Currently establishing a universalization listserv, as a means of facilitating communication between the team, and aim to hold a meeting at the Palais des Nations during the upcoming CCW Review Conference. The outcomes of this meeting are to be presented at the next Coordination Committee meeting.
- (President): Would like to highlight the fact that the direction taken by these working groups very much depends on the individual work plans envisioned by each Coordinator in their respective thematic areas; would also point to the inclusiveness of bringing in signatories where and when appropriate.
- (Coord. Coop. & Assist.): There is no problem with the including assistance from signatory States in this manner, but would emphasise that such dialogue should be utilised as a catalyst to encourage universalization of the Convention.
- **Action point:** It was agreed that CorCom members would consult the Executive Coordination Team in relation to the establishment of working groups where needed, and also that efforts would be made to include assistance and input from practitioners and other stakeholders where this is deemed relevant.
- The President emphasized that she understood many had been busy with Committees in New York. She suggested that from this point onwards, they would need to focus on developing work plans aimed at assisting States Parties in how to best prepare for the intersessionals, to encourage activities and developments in-country among SPs and seek the support and assistance of active friends in civil society and among international organisations. She encouraged CorCom members to discuss with the team of the Executive Coordinator team how they may be of help to facilitate meetings and the development of work plans that will take the work forward. The President also explained that she would discuss with the Executive Coordination Team how this can be done in a consistent manner

over the board of the thematic areas. The imperative will be that the needs of Coordinators are responded to in a manner in which they foresee the work going forward.

**Agenda Item 2** - President's Report Back on the Negotiation Mandate

- The President elaborated further on her meeting with the Director of GICHD, and reiterated that they did not enter into any details but rather presented to Ambassador Husy, the mandate and the directive that would guide discussions in establishing an implementation support unit to support States Parties in the universalization and implementation of the convention.
- In discussions after the meeting, the President team and Executive Coordinator reflected upon both similarities and several inherent differences between the two conventions (CCM and the APMBC) that may require a somewhat different set-up than a straightforward and equal duplication as envisioned expressed in the meeting. Given Exec Coords longstanding engagement in both conventions she was requested to provide some insights into the said similarities and differences to start off discussions before opening the floor for further discussions on defining what is needed and therefore should be requested from the GICHD. In this context she also welcomed comments from those Coordinators that had been engaged in the discussions of the Mine Ban Convention ISU.
- (Exec. Coord.): The APMBC acts as a precedent in many ways to the CCM. Therefore, when we embark on the road forward, much practice is already in place from which we can learn. With the CCM, being of a much more preventive nature, the scale and size of the challenges are somewhat different, as the number of affected states is lesser many present significant stockpile challenges albeit many of these have own strong technical and financial means. We can draw lessons from the APMBC that can be applied within this context; one of these being the need for early measures when undertaking the work of this Convention to ensure that deadlines are met but also are monitored and reported against early baselines established. Furthermore, there is a clear need for more targeted support to affected countries. We must consider the flexibility that will be needed in our approach; The ISU 10 years from now could present a very different need of profile than that of today, it should perhaps not be static, either in structure, size or profile. Depending on the direction of work there will most likely be a need to revise the process on an ad hoc basis. As such, MSPs may be more appropriate for such reviews than that of Rev Cons given the 1 year vs. 5 year intervals.
- The President then opened the floor for discussion and further views.
- (Pres.Des.): Not sure there is a need to apply very specific timelines and deadlines for the ISU and its progression over the coming months. At the time, the APMBC was very much breaking ground in its work, eg. the introduction of Victim Assistance into the discussions. In this case, the implementation tasks are different, meaning that we cannot merely aim to replicate the APMBC. Furthermore, with regard to the debate

between universalisation and implementation priorities, I am not convinced that there is a need to make a choice in this regard. Given the relevance of the APMBC in these discussions. The Ambassador then spoke a few words on the Implementation Support Unit for the Mine Ban Treaty. Initially there was a certain degree of scepticism with regards to funding, and the independence of the ISU. Concerns were raised that about a seeming lack of accountability towards States Parties. To a certain extent these criticisms were proven to be correct over time, which in turn highlights the importance of staying close to the Directive. In this same vein, it must also be noted that the drafting of a new Agreement between States and the GICHD provided some clarity on these issues.

- (President): Thank you, we have taken note of the various aspects raised and will let this guide our further discussions.
- **Action point:** The President then outlined her intention to hold a follow up meeting with the Centre establishing an understanding of what is needed, deriving guidance from the Directive and highlighting that this should not automatically be presumed to replicate the existing Mine Ban Treaty ISU. This will be done with the aim of reporting back at the next CorCom meeting. Furthermore, it was suggested that this discussion be brought to States Parties during open-ended consultation in the early weeks of 2012.
- The President then moved the discussion on to the financial aspects of the future ISU, highlighting that they are of utmost importance to bring forward together with the more substantive aspects. It would appear, learning from the experiences of the Mine Ban Convention, that despite the challenges in obtaining support for a fully assessed contribution to fund the unit, the chance is now, and not once it has already been established and run on voluntary funding. As there have been quite elaborate discussions on this within the framework of the APMBC she felt it would be interesting to learn more from these discussions.
- (Coord. Clearance & RR): We believe that before the next meeting of Coordination Committee members, it would be useful for us all to have a better idea of your proposed composition of the ISU.
- (Coord. Gen. Status & Op.): Concerning the financing of the ISU, we would suggest exploring the possibility of options other than the assessed model. Perhaps this could take the form of a hybrid approach, incorporating both assessed and non-assessed options.
- **Action point:** The President stated that they would continue to identify specific gaps where there exist initial resourcing needs. To move ahead on this issue, she proposed to consult Mexico when discussing further the financing modalities of the ISU, given their experience and role alongside Spain as working group coordinator on cooperation and assistance. As well as to be informed of the developments within the context of the APMBC in this regard.

### **Agenda Item 3** – Interim Support to the Convention

- The President reminded Coordinators that whilst working on a future more permanent implementation support structure, as decided by States Parties, the Exec. Coord. had been nominated to provide interim support that according to decisions in Beirut should be further strengthened to ensure the necessary support to the smooth running of the convention. As such, and as requested in action points from the last meeting, the President turned to the Executive Coordinator to elaborate on plans for the running of interim support.
- (Exec. Coord.): Looking to the Directive for guidance, but this template will of course need to be reassessed and amended where necessary in the future. The tasks of the Executive Coordinator in this interim role will largely involve three areas of work: implementation of the Convention and the sharing of best practices to give a good and early start, the intersessional meeting in April 2012, and the drafting and production of any relevant documentation to assist States Parties in their work.
- (Exec. Coord.): In terms of the composition of this team, it is envisioned that one side will be an internally oriented staff that would undertake administrative functions and as well as aspects in relation to documentation for the Convention. The other element of the team would consist of an externally focused staff acting as a focal point for States Parties on matters pertaining to the work plan including the intersessionals and its various thematic areas as well as covering the support for meetings. A proposal will be presented shortly.
- The President then opened the floor to attendees for views on the proposal as well as way in supporting it financially.
- (Coord. Universalization): Coming back to the issue of financing the ISU, it is good to keep an open mind with regards to the options that are available. Considering the assessed contribution system that was in place with the APMBC, the 'hybrid' option suggested earlier may not work. A likely outcome of this option is that the first mandatory half will be received, but difficulties will arise when attempting to gather the second, voluntary, set of contributions.
- (Coord. Reporting): Do not hold a particularly strong view in the finance model, but it would also be useful to take into account the APMBC during these discussions, where a new, adapted budget for the ISU has been adopted. As is stands, it seems unlikely that there will be enough funding to cover the entire scale of the costs that have been set out. We must be cautious to avoid repeating this scenario within the CCM, and consequently it would be fitting to outline a more modest budget for the year ahead.
- (Coord. Coop. & Assist.): It would also be important to bear in mind that assessed contributions already exist for the Meetings of States Parties, which can already demand fairly high figures for some States. Our concern is therefore that in some cases States will be unable to contribute the level of funding that is requested. We must also note that there are fewer States Parties to the CCM than there are to the MBT, which ultimately means that shared costs are higher for each individual State.

- (Coord. Stockpile destruct.): It is great that we can learn from the APMBC, but it seems that the only model that would be acceptable to us would be the voluntary option. In order to cater to such a model, a stronger fundraising system would be a possible means of preventing potential funding gaps. Drawing on the case of the ISU to the APMBC, if we start on the basis of assessed contributions, it is unlikely that there will even be an ISU.
- (Coord. Coop. & Assist.): It seems that the only feasible option would be voluntary contributions. We would also argue that those States that have yet to contribute should now step forward in this regard.
- **Action point:** The President stated her intention to come back to the Coordination Committee with a paper outlining the financing of the ISU. She also expressed doubts as to whether bilateral fundraising will work. However, it was agreed that she would revert to Coordinators with a clear set of options concerning this matter.

#### Agenda Item 4 – CCW Review Conference

- The President stated that given their role in relation to the CCM, Lebanon feels a specific responsibility to monitor the developments of the CCW with regard to cluster munitions and to advocate for the norm the Convention has established. Lebanon are concerned about the developments of a draft Protocol VI as it appears that negotiations have fallen short of the intent and primary goal captured in the preambular text of the draft Protocol VI as it currently is drafted, “to address urgently the humanitarian impact caused by cluster munitions.” Although Lebanon has observer-status in the CCW, the President informed CorCom members that they were planning to voice concerns in the plenary over the two weeks of the conference. She then opened the floor for comments.
- (CMC): would just like to bring to attention that it has sent letters out to the Foreign Ministers for all CCW High Contracting Parties, expressing concerns at the state of draft Protocol VI.
- (Coord. Coop & Assist.): concerned at the CCW negotiations. However, we are very doubtful that a consensus can be reached in this forum given conflicting positions that currently exist.
- (Pres. Des.): Agrees with Mexico on that point; however, although does not believe that the CCM’s established norm is under threat through these negotiations; rather important to highlight the serious concern that there has never been such a significant attempt to regress IHL.
- (ICRC): We would like to emphasize this point; this is not a case of CCW vs. CCM, as there are much wider implications for IHL. We would encourage all States to speak out and express these concerns.

- (Coord. Victim Assistance): We would also stress this argument, as it is highly important that the credibility and legitimacy of IHL is safeguarded.
- (Coord. Clearance & RR): As a cluster munition affected state, and the former President of the CCM, Lao PDR also intends to speak within the debate on draft Protocol VI at the CCW Review Conference.
- (Coord. Universalisation): well-known that differing views on this matter persists which will be the basis for the discussions over the next couple of weeks.
- (Exec. Coord.): UNDP is currently in discussion with sister agencies and other organisations that are members of the Inter-Agency Standing Committee on humanitarian assistance (IASC), as we plan to make a joint statement during the Review Conference.

**Agenda Item 5** – AOB

- nil...
- President expressed thanks to all for coming today...