



*Misión Permanente de la República de Nicaragua
ante la Oficina de las Naciones Unidas de Ginebra*



MINUTES OF THE CCM COORDINATION COMMITTEE MEETING

Held on Thursday 25 January 2018

in Conference Room 6A, Tower 3, Maison de la Paix, from 10:00 – 11:30 hours

1. Present:

Nicaragua - 8MSP Presidency

Mr. Carlos Morales Dávila
Ms. Nohelia Vargas Idiáquez

Bosnia-Herzegovina

Mr. Asim Dorović

Croatia

Ms. Ines Sprem Scigliano

France

Ms. Camille Gufflet

Germany

Mr. Toralf Pilz

Ireland

Dr. Patricia Cullen

Italy

Dr. Silvia Cattaneo

Lao PDR

Mr. Kalamoungkhoun Souphanouvong

Mozambique

Mr. Jaime Chissano

The Netherlands

Ms. Sachi Claringbould

Panama

Ms. Grisselle Rodriguez

Peru

Mr. Manuel Mundaca

Cluster Munition Coalition (CMC)

Ms. Amélie Chayer

ICRC

Mr. Louis Maresca

UNODA

Ms. Silvia Mercogliano (via conference call)

Secretariat - ISU-CCM

Ms. Sheila Mweemba
Mr. Matthieu Laruelle
Ms. Elaine Weiss

Apologies received

Australia
New Zealand
Zambia

2. Opening Remarks by the Presidency

The Deputy Permanent Representative of the Permanent Mission of Nicaragua, Mr. Carlos Morales, opened the first Coordination Committee meeting of 2018 and the fourth under the Nicaraguan presidency with warm New Year wishes to all the Committee members. He then presented the provisional Agenda and enquired of the Committee if it had any additional items for discussion. There being none, he proceeded with the Agenda as presented.

3. Approval of the Minutes of 12 December 2017

The Committee approved, without any corrections, the draft minutes of the Coordination Committee Meeting held on Tuesday, 12 December 2017 as a correct record of what had transpired during that meeting.

4. Updates from the 8MSP Presidency

4.1 Change of Permanent Representative of Nicaragua in Geneva

Mr. Morales reminded the meeting that Ambassador Hernan Estrada Roman was no longer the Permanent Representative of Nicaragua to the United Nations Office and other international organizations in Geneva. As a result of this unexpected change, it had been decided that the Eighth Meeting of States Parties (8MSP) would be hosted in Geneva from 3 to 5 September 2018, and not in Managua, given the limited amount of time remaining to organize such a large gathering. Mr. Morales said that, however, the possibility of hosting a regional workshop on universalization in Managua this year was still being considered.

In the ensuing discussion, members of the Committee sought clarification on whether at Meetings of States Parties (MSPs), the States Parties appointed an individual or a State Party as President of the Convention. In response, the ISU Director stated that it had been generally assumed that States Parties appointed a state rather than an individual to preside over the Convention. However, in order to avoid any possibility of misinterpretation, the Director reported that she had sought clarification on the matter from the UNODA. She then requested the UNODA representative to provide the Committee with its interpretation of the 7MSP Final Report language.

The UNODA representative, via conference call, explained that the language used in the Seventh Meeting of States Parties (7MSP) final report had designated Ambassador Hernan Estrada Roman, Permanent Representative of Nicaragua to the United Nations in Geneva, as President of the 8MSP. For this particular reason, UNODA informed that it would be advisable to seek the opinion of the States parties on the issue. She advised convening an informal Meeting of States Parties to clarify the matter with all the CCM States Parties. However, the Committee members raised concerns on the costs associated with the hosting of such a meeting and the limited time remaining to prepare such a meeting before the 8MSP and attain a meaningful turnout. They also enquired whether this consultation could not be conducted through a silence procedure. UNODA informed that a silence procedure was also possible instead of an informal meeting. UNODA also mentioned that, in its experience, silence procedures did not reach all States equally on occasion in the past but indicated that it would follow the recommendation of the Coordination Committee on how to proceed in this particular instance.

After much discussion, the Coordination Committee members **agreed** to use the silence procedure rather than convene an informal MSP to communicate to CCM States Parties its interpretation of the language used to designate Ambassador Estrada as 8MSP President. As such, **UNODA would be requested to initiate the silence procedure** communicating to CCM States Parties that it was the understanding of the Coordination Committee that the Republic of Nicaragua represented by Ambassador Hernan Estrada Roman had been elected as President of the 8MSP rather than Ambassador Estrada Roman in his personal capacity. Therefore, Ambassador Estrada's resignation as Nicaragua's representative to the United Nations in Geneva did not imply that Nicaragua was no longer the 8MSP President. Furthermore, Nicaragua was expected to appoint a representative to preside over the preparations up to the 8MSP and to preside over the meeting.

The Coordination Committee further **resolved** that henceforth, the language to be used in the election of successive MSP Presidents would explicitly convey that it was the State Party rather than the State Party's representative that had been elected as President. This would prevent a situation where there was lack of clarity on how to proceed in the event that the person performing the role of MSP President was for some reason unable to continue to function in that role. This would also allow the elected State Party to replace its representative if the need arose.

Mr. Morales thanked UNODA and the Committee members for a productive dialogue and reiterated that his government had reaffirmed that it would continue to give its full support to the Convention.

5. **Tasking of Coordinators on the General Status and Operation of the Convention (Germany and Bosnia-Herzegovina)**

The President introduced the agenda item and then requested the ISU Director to provide more information on the two tasks identified and how the Coordinators would share those tasks.

The Director began by reminding the meeting that during the last Coordination Committee meeting, the Coordinators on the General Status and Operation of the Convention; Bosnia-Herzegovina and Germany, had been tasked with the drafting of guidelines for Article 3 and Article 4 extension requests. She added that since then, another important matter had been recognized for which there was no protocol to guide the process: the identification and designation of subsequent CCM presidencies. She pointed out that since the First Review Conference (1RC), consecutive presidents had had to shoulder the burden of finding a successor and in every case the following presidency had only been confirmed at the very last minute. The Director therefore advised that there was need to develop a mechanism that would ease this burden on the incumbent presidency by spreading the responsibility to all States Parties.

In the ensuing discussion, Coordination Committee members considered different models to utilize in identifying presidency nominees including establishing a rotation system founded on geographical division; division of States Parties into affected and unaffected and/or donor States; and the adoption of models being used by other disarmament treaties. It was noted that a division based on affected or unaffected/donor States was unconvincing, and that a rotation system based on geographical division would be most appropriate where each region had a reasonably equitable distribution of CCM membership. Committee members agreed that having a regional rotational system would shift the onus of this task from the presidency, not overburden one particular region

to preside consecutively, allow for Coordinators of different States to work collaboratively with the Presidency on this, and also enable the nomination of more than one successive presidency at a time. Each model was debated and appropriated to the CCM context, and an agreement was reached that Germany would work on various proposals that would be further considered by the Committee. In addition, members of the Coordination Committee decided that having a formal procedure that was agreed by all States Parties on this would provide for smoother transitions and handovers of presidencies. It was also agreed that the current default “procedure” would still be employed in recruiting the President of the 9MSP and that the new model once adopted at the 8MSP would be used thereafter, with the exception of Review Conferences which would continue to work on a volunteer basis. The Committee concluded by tasking the ISU to produce a brochure that would provide relevant information to States Parties on the role of the presidency as well as promote the presidency function as a way of attracting more of them to consider serving in that role.

The Director clarified that since both tasks were time-consuming, each of the Coordinators responsible for the General Status and Operation of the Convention would focus on one of the tasks; therefore, Bosnia-Herzegovina would work on producing the extension request guidelines, while Germany would work on a model to ensure the predictability of successive Convention presidencies. She concluded by requesting that both proposals be ready for submission to UN conference services by 15 June 2018 to allow for their translation into the 6 UN official languages in line with the existing MSP documentation preparation process.

The Presidency thanked the Director, Germany and Bosnia-Herzegovina, and then invited the other Thematic Coordinators to provide updates on the implementation of their operational plans based on the concept notes outlining their work up to the 8MSP.

6. Updates from the Thematic Coordinators on the implementation of their work plans up to the 8MSP

6.1 Universalization (Panama and France)

France, reporting on behalf of the Coordinators on Universalization, reiterated that several States had been targeted for future ratification and that the Coordinators were in the process of following up with them. Panama elaborated that the Coordinators would be meeting in the following week to prepare an outreach letter to the targeted States. When inquired if the ISU could provide assistance with this task, the Director assured the Coordinators that they had the full support of the ISU.

Mr. Morales thanked the Coordinators for their update and asked for comments from the meeting. There being none, he called upon the Coordinators on Victim Assistance to take the floor.

6.2 Victim Assistance (Ireland and Italy)

Italy, speaking on behalf of the Coordinators on Victim Assistance, reported that they have been on track with all their objectives thus far. Italy notified that letters with information requests had been sent to nine out of the eleven States with victim assistance obligations, and that these would be followed by phone calls or meetings. She further announced the appointment of a new Permanent

Representative of Italy to the Conference on Disarmament. Italy extended the Coordinators' thanks to the ISU for having provided them the contact details of the delegate from Guinea-Bissau at the 72nd Session of the UN General Assembly First Committee in New York, as the Coordinators had been finding it challenging to establish communication with Guinea-Bissau.

Italy explained that the launch of the Guidelines on Gender and Diversity-Responsive Victim Assistance in Mine Action was postponed from 2017 and had been rescheduled to take place in the margins of the Anti-Personnel Mine Ban Convention (APMBC) intersessional meeting in June 2018.

Italy added that the recent informal meetings on 'Enhancing International Cooperation and Assistance under the Convention on Cluster Munitions' organized by Australia and Peru had assisted the Coordinators in establishing important contacts. Furthermore, Italy reported that Belgium, Coordinator on Victim Assistance of the APMBC, had been in informal contact with CCM Victim Assistance Coordinators, concerning the possible planning of joint activities along with the Committees on the Rights of Persons with Disabilities (CRPD) and Convention on Certain Conventional Weapons (CCW) throughout the year.

The Presidency thanked the Coordinators on Victim Assistance for their thorough update and invited the Coordinators on Clearance and Risk Reduction Education to present their update.

6.3 Clearance and Risk Reduction Education (Lao PDR and the Netherlands)

The Netherlands, reporting on behalf of the Coordinators on Clearance and Risk Reduction Education, informed the meeting that they had been reaching out to the targeted States as outlined in their work plan. They had begun discussions with Germany, which was a priority State due to its impending clearance deadline and would continue to follow up with it. With regards to Chile, the Netherlands stated that the coordinators had not been able to meet with Chile's representatives yet, but intended to do so as soon as possible, based on the information they had obtained from the ISU. The Netherlands reported that they had also obtained essential information from Montenegro and aimed to achieve more progress with it in the margins of the 21st International Meeting of National Mine Action Programme Directors and United Nations Advisers (NDM-UN 21).

In addition, The Netherlands announced to the meeting that the immediate past co-coordinator on clearance, Norway, had hosted a one-day workshop on clearance of landmines and cluster munitions in Beirut, Lebanon, on 17 January to discuss with international donors and clearance operators Lebanon's compliance with its CCM clearance obligations. The Netherlands reported that the workshop had been productive and that a country coalition under the CCM would be established. It notified the meeting that it would be in touch with Norway to inquire on the status of this project and thereafter convey relevant information to the Coordinators on International Cooperation and Assistance.

In concluding the update, Lao PDR informed the meeting that the Coordinators would be meeting with targeted States during the NDM-UN 21 Meeting in February to obtain relevant information on clearance in each of these States.

As there were no comments on the update, Mr. Morales thanked the Coordinators for their work and gave the floor to the Coordinators on Stockpile Destruction and Retention.

6.4 Stockpile Destruction and Retention (Mozambique and Croatia)

Mozambique, speaking on behalf of the two Coordinators, commenced the update by recalling that Article 3 paragraph 6 of the Convention permitted States Parties to retain a limited number of cluster munitions for specific purposes, and reminded the meeting that 11 States had reported to have done so. Mozambique notified that the Coordinators had targeted 4 out of these 11 States - namely, Sweden, Denmark, Italy, and the Netherlands - to send a letter requesting further information as these States had either reported minimal (the Netherlands) or no decrease (Sweden, Denmark and Italy) in the quantity of sub-munitions retained in recent years. The Coordinators encouraged these States to submit detailed information through their 2017 annual transparency report which would be due on 30 April 2018. Croatia conveyed its appreciation to the ISU for having assisted the Coordinators in drafting the letters.

In contributing to the discussion, Italy informed that it had already transmitted its letter to relevant authorities in capital, including the Ministry of Defence; adding that it might require more time beyond the due date of the annual transparency report, to obtain the information but would attempt to do so by the middle of the year for the information to be included in the progress report to be presented during the next MSP.

The President thanked the Coordinators on Stockpile Destruction and Retention for the update and invited Peru to report to the meeting on International Cooperation and Assistance.

6.5 International Cooperation and Assistance (Peru and Australia)

Peru, speaking on behalf of the two thematic Coordinators, gave an account of the informal meeting on 'Enhancing International Cooperation and Assistance under the Convention on Cluster Munitions' that was organized by the Coordinators in the margins of the 16MSP of the APMBC on 20 December 2017 in Vienna, Austria. Peru reported that the meeting, which was a follow up of the meeting with affected States Parties on 24 November 2017, was attended by three CCM Coordinators, the ISU Director, and 15 representatives from donor States. Some of the key points raised in the meeting were:

- On priorities - that donors tended to focus more on the socio-economic benefit of mine action than on the specific munition being cleared, and so in applications for assistance affected countries should highlight the potential development benefits of assistance being sought;
- On challenges – that donors faced internal challenges coordinating, and breaking down silos between ministries, but also at the international level and on the ground, coordinating with other donors and local authorities;
- On partnerships – that there were a number of countries with impending deadlines under the Convention, which had small obstacles to overcome to achieve completion of their obligations and which could be targeted for assistance; and also that work was ongoing on the possible establishment of two Country Coalitions, with Lebanon and Montenegro; and

- On follow-up to the earlier meeting with affected states – that a database could be a useful mechanism for sharing information on needs, capacities for assistance and experience in meeting challenges, and could also help track assistance provided and progress on deadlines

Peru added that the summary for the meeting was being finalized in consultation with the participants and would be posted on the CCM website shortly. The update was concluded with a reminder to the meeting that the Coordinators intended to hold their 3rd and final informal meeting in the margins of the APMBC Intersessionals in June.

The Presidency conveyed his thanks to the Coordinators for the comprehensive update and good work, and alluded to the importance of Article 6 in the implementation of the Convention.

6.6 National Implementation Measures (New Zealand)

The ISU Director delivered an update from New Zealand, the Coordinator for National Implementation Measures, who was unable to attend the Coordination Committee meeting. She notified the meeting that New Zealand was in the middle of preparing 2 workshops that were taking place this year, the first of which would be the ‘Pacific Conference on Conventional Weapons Treaties’ in Auckland in February. The Coordinator was already in Auckland to finalize preparations for the workshop in which the ISU Director would be a one of the facilitators.

Regarding the second workshop, the Director reported that preparations for the regional workshop in Yaoundé in June were progressing well. This workshop, co-organized by New Zealand and Cameroon with the support of the ISU, aimed to discuss national implementation measures as well as to assist African signatory States and States not Party to ratify/accede to the Convention.

Mr. Morales expressed his gratitude to the Director for providing the update on behalf of New Zealand.

7. Update on the financing of the Implementation Support Unit of the CCM

The Presidency invited the ISU Director to provide an update on the current financial status of the ISU.

The Director began by handing out the ISU’s 2017 interim financial overview to the meeting and reminded that during the last Coordination Committee meeting, the ISU had a budgetary shortfall of approximately CHF 23’000. She informed that since then, 7 States had contributed a significant amount to the 2017 ISU budget. She reported that as at 23 January, 53 out of 100 States had contributed a total of CHF 543’860 against a budget of CHF 455’511, translating into a surplus collection of approximately CHF 88’349. She reported that, additionally, the total expenditure of the ISU in 2017 was around CHF 399’000 leading to an amount of approximately CHF 144’500 being carried over into 2018. She explained that the underspending was mainly due to the deferred employment of the Implementation Support Assistant from January to May 2017.

The ISU Director further reported that the Working Capital Reserve remained at the same level of CHF 376’967, which was CHF 23’033 less than the recommended level of CHF 400’000. No states

had responded positively to the request to contribute towards the reserve to raise it to the agreed level.

With regards to the 2018 contributions, the Director informed the meeting that 30 out of 102 States had already made contributions amounting to just over CHF 90'700; slightly less than a quarter of the 2018 budget. She concluded by mentioning that the invoices that had been sent out in November 2017 seemed to have been effective at encouraging States Parties make their contributions.

Mr. Morales thanked the Director for the thorough financial reporting and inquired if anyone wanted to discuss the topic further. In contributing to the discussion, The Netherlands complimented the ISU Director for her prudent financial management of the Unit's funds. Additionally, it queried whether a surplus of contributions would always be carried over to the following year, how the surplus related to the Working Capital Reserve, and whether the surplus could lead to the planning of additional projects or expenses. The ISU Director responded by clarifying that since the budgetary surplus had largely resulted from supplementary voluntary contributions and savings made as a result of the delayed hiring of an ISU staff member, such a decision would need to be made on a year-to-year basis. She, however, emphasized that the ISU would continue to be cautious in its spending as it was still unclear that early in the year whether the ISU would have its 2018 budget fully financed. She added that the actual status would likely become clearer towards the middle of the year as States were given a deadline to make their contributions by 31 March 2018 in the reminder letter sent out in November 2017. She added that if there was once again a substantial carry-over into 2019, it could be channeled to the Working Capital Reserve, although that would require that a formal decision be taken by States Parties at the relevant MSP.

8. Update from the Implementation Support Unit on other matters

The ISU Director notified the meeting that Article 7 annual transparency reports for 2017 were due on 30 April 2018, and that an email had been sent out the prior week to remind all States Parties about that important CCM obligation. She reported that three 2017 annual reports had been submitted already and had been acknowledged on the website to encourage on-time reporting. She added that current reporting rates for 2016 annual reports was at 84%, while that for initial reports was at 85%; which was an improvement from the rate reported at the 7MSP. She informed that all States with overdue initial reports were being engaged with an expectation to increase the percentage to 95% by the 8MSP. In its contribution, Ireland said that it was appreciative of the ISU's acknowledgement on the CCM website of the first 3 States Parties that had submitted their 2017 annual report as this encouraged others.

The Director reminded that the Dubrovnik Action Plan Booklet had been translated into French and Spanish and that hard copies were now available at the ISU office. She reported that a contract had also been signed for the translation of 'A Guide to Cluster Munitions 3rd Edition' into French with an aim to have the publication made available in June during the APMBC intersessional meetings. The ISU was also looking into translating the Guide into Arabic in time for distribution at the 8MSP in

September. This would be a strategic decision as there were not many Arabic speaking States Parties and one, Yemen, had indicated its interest in acceding to the CCM.

In concluding, the Director reported that as part of preparations for the workshop in Yaoundé in June, the ISU had been following up with African signatory States encouraging them to work towards producing a positive report by the time of the workshop.

The Presidency thanked the ISU Director for the update and expressed his great appreciation for the work of the ISU.

9. Any other business

9.1 Key 2018 dates to keep in mind

The CMC representative reminded the meeting that the 10th anniversary of the adoption of the CCM would be coming up on 30 May 2018 as well as that of the signing of the Convention on 3 December 2018. It added that the CMC's own 15th anniversary would also be taking place this year.

9.2 Military-to-military dialogue

Germany informed the meeting that it was exploring the possibility to continue with the military-to-military dialogue and partners, who had co-organized this initiative, including the Geneva International Centre for Humanitarian Demining (GICHD), had confirmed readiness to proceed with the exercise. It was elaborated that a number of States on the preliminary list that had previously indicated a probability of conflicting interest could still be interested in participating in the dialogue. Germany added that it would assist the Presidency in reaching out to several other States to expand this dialogue including those from Africa and South America. It added that it would need at least 4 countries to respond in the affirmative in order for it to organize the next meeting, which was tentatively scheduled for the week of 18-22 June 2018.

10. Date of the Next CC Meeting

It was agreed that the next Coordination Committee Meeting would be held on **Wednesday, 28 February 2018** from **10:00 to 11:30 hours**.

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